

FEDERAL REGISTER

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Washington, Wednesday, January 22, 1958

TITLE 3—THE PRESIDENT

PROCLAMATION 3217

SAINT LAWRENCE SEAWAY CELEBRATION
 BY THE PRESIDENT OF THE UNITED STATES
 OF AMERICA
 A PROCLAMATION

WHEREAS the completion of the Saint Lawrence Seaway in 1959 will mark the inauguration of a new era of direct transoceanic water-borne commerce between inland ports of the Great Lakes of North America and the far-flung ports of the world; and

WHEREAS from January 1 to December 31, 1959, the City of Chicago in the State of Illinois will celebrate the completion of the Saint Lawrence Seaway inviting attention to the importance of the Seaway and the North American ports that it will serve;

WHEREAS the program of the Saint Lawrence Seaway Celebration at Chicago will include the Pan American Games of 1959, a Festival of the Americas, and an International Fair and Exposition which have for their purpose the promotion of international understanding and the display of the products of the world; and

WHEREAS the Congress, by a joint resolution approved August 30, 1957, 71 Stat. 512, authorized the President of the United States, by proclamation or in such other manner as he might deem proper, to invite the States of the Union and foreign countries to participate in the Saint Lawrence Seaway Celebration to be held at Chicago during 1959 for the purpose of promoting foreign and domestic commerce and fostering good will among nations;

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby invite the States of the Union and foreign countries to participate in the programs of the Saint Lawrence Seaway Celebration to be held at Chicago, Illinois, in 1959.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifteenth day of January in the year of our Lord nineteen hundred and [SEAL] fifty-eight, and of the Independence of the United States of America the one hundred and eighty-second.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
 Secretary of State.

[F. R. Doc. 58-531; Filed, Jan. 20, 1958;
 1:44 p. m.]

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Lime Order 4, Amdt. 4]

PART 1001—LIMES GROWN IN FLORIDA

QUALITY AND SIZE REGULATION

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 101, as amended (7 CFR Part 1001; 22 F. R. 2526), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this amendment is based

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FEDERAL REGISTER

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CFR SUPPLEMENTS

The following is now available:

Title 3, 1943-1948 Compilation (\$7.00)

All pocket supplements and revised books as of January 1, 1957, have been previously announced except Titles 1-3 and the supplement to the General Index.

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than February 1, 1958. Shipments of designated varieties of Florida limes are currently regulated pursuant to Lime Order 4, as amended (22 F. R. 2873; 3105, 4252, 6611), and, unless sooner modified or terminated, will continue to be so regulated until May 1, 1958; determinations as to the need for, and extent of, continued regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendations and supporting information for regulation of lime shipments subsequent to February 1, 1958, and in the manner herein provided, were promptly submitted to the Department after an open meeting of the Florida Lime Administrative Committee on January 14, 1958, held to consider recommendations for regulation, the provisions of this amendment are identical with the aforesaid recommendations of the committee, and information concerning such provisions has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective as hereinafter set forth; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *It is, therefore, ordered*, That the provisions of paragraph (b) of § 1001.304 (Lime Order 4, as amended; 22 F. R. 2873; 3105, 4252, 6611) are hereby further amended to read as follows:

(b) *Order*. (1) During the period beginning at 12:01 a. m., e. s. t., February 1, 1958, and ending at 12:01 a. m., e. s. t., June 16, 1958, no handler shall handle:

(i) Any limes of the group known as true limes (also known as Mexican, West Indian, and Key limes, and by other synonyms), grown in the production area, which do not meet the requirements of at least U. S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties), grown in the production area, which do not grade at least U. S. Combination Mixed Color; *Provided*, That not to exceed 50 percent, by count, of the limes

in any container may grade U. S. No. 2 Mixed Color;

(iii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties), grown in the production area, which are smaller than 1½ inches in diameter; *Provided*, That not to exceed 5 percent, by count, of the limes in any container may fail to meet this requirement; or

(iv) Any container of such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which contains more than 5 percent, by count, of limes smaller than 1½ inches in diameter unless the juice content of the limes in such container averages at least 48 percent, by volume.

(2) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Persian (Tahiti) Limes (§ 51.1000-51.1016 of this title; 22 P. R. 3405).

(c) *Effective time*. The provisions of this section shall become effective at 12:01 a. m., e. s. t., February 1, 1958.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: January 17, 1958.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-474; Filed, Jan. 21, 1958; 8:47 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

[Reg. T, Supp.]

PART 220—CREDIT BY BROKERS, DEALERS AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

MAXIMUM LOAN VALUE; MARGIN REQUIRED FOR SHORT SALES

1. Effective January 16, 1958, § 220.8 (the Supplement to Regulation T) is hereby amended to read as follows:

§ 220.8 *Supplement*—(a) *Maximum loan value for general accounts*. The maximum loan value of a registered security (other than an exempted security) in a general account, subject to § 220.3, shall be 50 percent of its current market value.

(b) *Margin required for short sales in general accounts*. The amount to be included in the adjusted debit balance of a general account, pursuant to § 220.3 (d) (3), as margin required for short sales of securities (other than exempted securities), shall be 50 percent

of the current market value of each such security.

2. (a) This section is issued pursuant to the Securities Exchange Act of 1934, particularly section 7 thereof. Its purpose is to change loan values and margin requirements in order to carry out the purposes of the act.

(b) The notice and public procedure described in sections 4 (a) and 4 (b) of the Administrative Procedure Act, and the thirty day prior publication described in section 4 (c) of such act, are impracticable, unnecessary, and contrary to the public interest in connection with this amendment for the reasons and good cause found as stated in § 262.2 (e) of the Board's Rules of Procedure (Part 262 of this chapter).

(Sec. 11, 38 Stat. 262; 12 U. S. C. 248. Interprets or applies secs. 3, 7, 8, 17, 23, 48 Stat. 882, 886, 888, 897, 901, as amended; 15 U. S. C. 78c, 78g, 78h, 78q, 78w)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,

[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 58-467; Filed, Jan. 21, 1958; 8:46 a. m.]

[Reg. U, Supp.]

PART 221—LOANS BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

MAXIMUM LOAN VALUE OF STOCKS

1. Effective January 16, 1958, § 221.4 (the Supplement to Regulation U) is hereby amended to read as follows:

§ 221.4 *Maximum loan value of stocks*. For the purpose of § 221.1, the maximum loan value of any stock, whether or not registered on a national securities exchange, shall be 50 percent of its current market value, as determined by any reasonable method.

2. (a) This section is issued pursuant to the Securities Exchange Act of 1934, particularly section 7 thereof. Its purpose is to change loan values in order to carry out the purposes of the act.

(b) The notice and public procedure described in sections 4 (a) and 4 (b) of the Administrative Procedure Act, and the thirty day prior publication described in section 4 (c) of such act, are impracticable, unnecessary, and contrary to the public interest in connection with this amendment for the reasons and good cause found as stated in § 262.2 (e) of the Board's Rules of Procedure (Part 262 of this chapter).

(Sec. 11, 38 Stat. 262; 12 U. S. C. 248. Interprets or applies secs. 3, 7, 17, 23, 48 Stat. 882, 886, 897, 901, as amended; 15 U. S. C. 78c, 78g, 78h, 78q, 78w)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,

[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 58-468; Filed, Jan. 21, 1958; 8:46 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter C—Drugs

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PROCAINE PENICILLIN-STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) NEOMYCIN-ERYTHROMYCIN IN OIL

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F. R. 1045), the regulations for tests and methods of assay and certification of penicillin and penicillin-containing drugs (21 CFR Parts 141a, 146a) are amended as indicated below:

1. Part 141a is amended by adding thereto the following new section:

§ 141a.94 *Procaine penicillin-streptomycin-neomycin-erythromycin in oil; procaine penicillin-dihydrostreptomycin-neomycin-erythromycin in oil—*

(a) *Potency—*(1) *Penicillin content.* Obtain the weight of the content of a syringe by weighing before and after ejecting the content into a beaker. Stir until homogeneous. Remove a representative sample (usually approximately 1.0 gram, accurately weighed) and place in a separatory funnel containing 50 milliliters of peroxide-free ether. Add 20 milliliters of potassium phosphate buffer (pH 8.0) and shake. Remove the buffer layer and repeat the extraction with three additional 20-milliliter portions of the buffer. Combine the buffer extracts and make to 100 milliliters with buffer. Place the buffer solution into a second separatory funnel and wash with three 30-milliliter portions of ether. Discard the ether washes. Remove an aliquot of the buffer solution and proceed as directed in § 141a.1 except § 141a.1 (d) and (i). If the iodometric chemical assay is used, proceed as directed in § 141a.5 (d) (1), except prepare the sample as directed in § 141a.35 (a) (1). Its content of penicillin is satisfactory if it contains not less than 85 percent of the number of units that it is represented to contain.

(2) *Streptomycin content.* Using an aliquot of the buffer solution prepared in subparagraph (1) of this paragraph, proceed as directed in § 141b.101 (a) through (i) of this chapter, except add sufficient penicillinase to completely inactivate the penicillin present. Its content of streptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(3) *Dihydrostreptomycin content.* Proceed as directed in subparagraph (2) of this paragraph, using the dihydrostreptomycin working standard as the

standard of comparison. Its content of dihydrostreptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(4) *Neomycin content.* Using an aliquot of the buffer solution prepared in subparagraph (1) of this paragraph, proceed as directed in § 141e.410 (b) (1) of this chapter, except add sufficient penicillinase to completely inactivate the penicillin present, and use as the test organism the Food and Drug Administration dihydrostreptomycin-resistant strain of *M. Pyogenes* var. *aureus* (P. C. I. 1209 R. D.) grown and maintained in media containing 1,000 µg. of dihydrostreptomycin per milliliter of agar. Its content of neomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(5) *Erythromycin content.* Proceed as directed in § 141b.126 (a) (1) (ii) of this chapter, except prepare the sample as follows: Place a representative sample (usually approximately 1.0 gram, accurately weighed) in a glass blending jar containing 100 milliliters of polyethylene glycol 400. Using a high speed blender, blend for 2 minutes and filter through a cotton plug or filter paper. Make an intermediate dilution of an aliquot of the filtrate with potassium phosphate buffer (pH 8.0) and add sufficient penicillinase to inactivate the penicillin present. Remove an aliquot and dilute with potassium phosphate buffer (pH 8.0) to give an erythromycin content of 1.0 µg. per milliliter (estimated). Its content of erythromycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(b) *Moisture.* Proceed as directed in § 141a.7 (c).

2. Part 146a is amended by adding thereto the following new section:

§ 146a.83 *Procaine penicillin-streptomycin-neomycin-erythromycin in oil; procaine penicillin-dihydrostreptomycin-neomycin-erythromycin in oil.* Procaine penicillin - streptomycin - neomycin-erythromycin in oil and procaine penicillin - dihydrostreptomycin - neomycin-erythromycin in oil conform to all requirements and are subject to all procedures prescribed by § 146a.89 for procaine penicillin-streptomycin-neomycin in oil and procaine penicillin-dihydrostreptomycin-neomycin in oil, except that:

(a) It contains not less than 5.0 milligrams of erythromycin per milliliter. The erythromycin used conforms to the standards prescribed by § 146b.121 (a) of this chapter.

(b) In addition to complying with the requirements of § 146a.89 (b), each package shall bear on the outside wrapper or container and the immediate container the number of milligrams of erythromycin in each milliliter of the batch.

(c) In addition to complying with the requirements of § 146a.89 (c), a person who requests certification of a batch shall submit with his request a statement showing the number of milligrams of erythromycin in each milliliter of the batch, the batch mark, and (unless they

were previously submitted) the results and the date of the latest tests and assays of the erythromycin used in making the batch for potency, toxicity, moisture, pH, and color-identity test. He shall also submit in connection with his request a sample consisting of not less than eight immediate containers of the batch and (unless it was previously submitted) a sample consisting of 5 packages containing approximately equal portions of not less than 0.5 gram each of the erythromycin used in making the batch.

(d) The fees for the services rendered with respect to the samples submitted in accordance with paragraph (c) of this section shall be:

(1) \$6.00 for each immediate container of the batch.

(2) \$4.00 for each immediate container of the erythromycin used in making the batch.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for these amendments.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

Dated: January 15, 1958.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 58-493; Filed, Jan. 21, 1958; 8:51 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[DMS Reg. 1, Amdt. 1 of Jan. 20, 1958]

DMS REG. 1—BASIC RULES OF THE DEFENSE MATERIALS SYSTEM

ACQUISITION OF PRIMARY NICKEL BY CONTROLLED MATERIALS PRODUCERS

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Paragraph (c) of section 23 of DMS Regulation No. 1, as amended April 1, 1954, is amended to require a controlled materials producer to use the rating DO-B-5 in obtaining primary nickel as production material needed to fill orders for controlled materials which he is required to accept by this regulation or by any other regulation, order, or directive of BDSA.

Paragraph (c) of section 23 of DMS Regulation No. 1 is hereby amended to read as follows:

(c) Except where otherwise specifically provided by BDSA, a controlled materials producer may, by self-authorization and without filing any application, use the rating DO-B-5 in obtaining production materials consisting of products and materials other than controlled materials needed to fill orders for controlled materials which he is required to accept by this regulation, or by any other regulation, order, or directive of BDSA: *Provided, however,* That a controlled materials producer must, by self-authorization and without filing any application, use the rating DO-B-5 in obtaining primary nickel as production material to fill orders for controlled materials which he is required to accept by this regulation, or by any other regulation, order, or directive of BDSA, or to replace in inventory primary nickel which he has used to fill such orders. For the purposes of this paragraph, "primary nickel" means nickel in the following forms or shapes:

Electrolytic cathodes.
Ingots.
Pigs.
Rondelles.
Cubes and pellets.
Shot.
Oxide (including sintered oxide).
Salts.
Chemicals.
Powder.

The rating DO-B-5 must be used in accordance with the provisions of this regulation and of BDSA Reg. 2 (formerly NPA Reg. 2).

(Sec. 704, 64 Stat. 816, as amended; 70 Stat. 408; 50 U. S. C. App. 2154)

This amendment shall take effect January 20, 1958.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCoy,
Administrator.

[F. R. Doc. 58-507; Filed, Jan. 20, 1958; 12:30 p. m.]

[BDSA Order M-1A, Amdt. 4 of Jan. 20, 1958]

M-1A—IRON AND STEEL

REPLACEMENT OF INVENTORY BY DISTRIBUTORS

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Paragraph (b) of section 12 of BDSA Order M-1A (formerly NPA Order M-1A) dated May 14, 1953, is amended to require a steel distributor to use the allotment number D-8 in obtaining steel mill products containing nickel by specification to replace in inventory any such products which he has delivered from his inventory to fill authorized controlled material orders.

Paragraph (b) of section 12 is hereby amended to read as follows:

(b) Commencing with the month of February 1958, and during each succeeding calendar month thereafter, any steel distributor who has delivered steel mill products from his inventory to fill authorized controlled material orders may obtain products to replace in inventory the steel mill products delivered pursuant to such orders by affixing the allotment number D-8 to the purchase order he places with his regular supplier of such products: *Provided, however,* That any such steel distributor must affix the allotment number D-8 to the purchase order he places to obtain any steel mill products containing nickel by specification to replace in inventory any such products which he has delivered to fill authorized controlled material orders. Such purchase orders are hereby designated as authorized controlled material orders and must be certified by the steel distributor as provided in section 20 of DMS Regulation No. 1. In placing such authorized controlled material orders, the distributor must indicate thereon the allotment number D-8 and the calendar quarter in which delivery of the steel mill products is required: *Provided, however,* That authorized controlled material orders placed by a steel distributor pursuant to this section may call only for delivery of a quantity of the carbon, alloy, or nickel-bearing stainless steel mill products listed on each line of Table III of this order, no greater than the quantity which such distributor delivered from his inventory pursuant to authorized controlled material orders: *And provided further,* That the allotment number D-8 may be used to place orders for steel mill products pursuant to this paragraph only in the calendar quarter in which they were taken from inventory, or in the immediately succeeding calendar quarter.

(Sec. 704, 64 Stat. 816, as amended; 70 Stat. 408; 50 U. S. C. App. 2154)

This amendment shall take effect January 20, 1958.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCoy,
Administrator.

[F. R. Doc. 58-508; Filed, Jan. 20, 1958; 12:30 p. m.]

[BDSA Order M-1B, Amdt. 2 of Jan. 20, 1958]

M-1B—NICKEL ALLOYS

REPLACEMENT OF INVENTORY BY DISTRIBUTORS

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Paragraph (b) of section 11 of BDSA Order M-1B of June 29, 1956, is amended to require distributors to use the allotment number D-8 in obtaining nickel alloy products to replace in inventory

products delivered to fill authorized controlled material orders.

Paragraph (b) of section 11 is hereby amended to read as follows:

(b) Commencing with the month of February 1958, and during each succeeding calendar month thereafter, any distributor who has delivered nickel alloy products from his inventory to fill authorized controlled material orders must, in obtaining nickel alloy products to replace in inventory nickel alloy products delivered pursuant to such orders, affix the allotment number D-8 to the purchase order he places with his regular supplier of such products. Such purchase orders are hereby designated as authorized controlled material orders and must be certified by the distributor as provided in section 20 of DMS Regulation No. 1. In placing such authorized controlled material orders, the distributor must indicate thereon the allotment number D-8 and the calendar quarter in which delivery of the nickel alloy products is required: *Provided, however,* That authorized controlled material orders placed by a distributor pursuant to this section may call only for delivery of a quantity of each nickel alloy product no greater than the quantity of such product which such distributor delivered from his inventory pursuant to authorized controlled material orders: *And provided further,* That the allotment number D-8 may be used to place orders for nickel alloy products pursuant to this paragraph only in the calendar quarter in which they were taken from inventory or in the immediately succeeding calendar quarter.

(Sec. 704, 64 Stat. 816, as amended; 70 Stat. 408; 50 U. S. C. App. 2154)

This amendment shall take effect January 20, 1958.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCoy,
Administrator.

[F. R. Doc. 58-509; Filed, Jan. 20, 1958; 12:30 p. m.]

[BDSA Order M-5A, Amdt. 2 of Jan. 20, 1958]

M-5A—ALUMINUM

REPLACEMENT OF INVENTORY BY DISTRIBUTORS

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Paragraph (b) of section 12 of BDSA Order M-5A (formerly NPA Order M-5A) dated May 6, 1953, is amended to require a distributor to use the AM symbol "AM-9000" in obtaining aluminum containing nickel by specification to replace in inventory any such aluminum which he has delivered from his inventory to fill authorized controlled material orders.

Paragraph (b) of section 12 is hereby amended to read as follows:

(b) Commencing with the month of February 1958, and during each succeeding calendar month thereafter, any distributor who has delivered aluminum from his inventory to fill authorized controlled material orders may, in obtaining aluminum to replace in inventory the aluminum delivered pursuant to such orders, affix the AM symbol "AM-9000" to delivery orders for such aluminum: *Provided, however,* That any such distributor must affix the AM symbol "AM-9000" to each delivery order he places to obtain aluminum containing nickel by specification to replace in inventory any such aluminum which he has delivered to fill authorized controlled material orders. Such delivery orders are hereby designated as authorized controlled material orders and must be placed and certified by the distributor as provided in section 20 of DMS Regulation No. 1: *Provided, however,* That authorized controlled material orders placed by a distributor pursuant to this section may call only for delivery of an equal weight of the form or shape of aluminum which he has delivered pursuant to authorized controlled material orders, and that any such order placed by him with any supplier may call for delivery only during the calendar quarter in which the materials were taken from the inventory of the distributor or in the immediately succeeding calendar quarter.

(Sec. 704, 64 Stat. 816, as amended; 70 Stat. 408; 50 U. S. C. App. 2154)

This amendment shall take effect January 20, 1958.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCoy,
Administrator.

[F. R. Doc. 58-510; Filed, Jan. 20, 1958; 12:30 p. m.]

[BDSA Order M-11A, Amdt. 1 of Jan. 20, 1958]

M-11A—COPPER AND COPPER-BASE ALLOYS REPLACEMENT OF INVENTORY BY DISTRIBUTORS

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Paragraph (b) of section 10 of BDSA Order M-11A as amended December 18, 1956, is further amended to require a distributor to use the allotment number D-8 in obtaining copper controlled materials containing nickel by specification to replace in inventory any such copper controlled materials which he has delivered from his inventory to fill authorized controlled material orders.

Paragraph (b) of section 10 is hereby amended to read as follows:

(b) Commencing with the month of February 1958, and during each succeeding calendar month thereafter, any copper controlled materials distributor who has delivered copper controlled materials from his inventory to fill authorized controlled materials orders may, in obtaining products to replace in inventory the copper controlled materials delivered pursuant to such orders, affix the allotment number D-8 to the delivery order he places with his supplier of such products: *Provided, however,* That any such copper controlled materials distributor must affix the allotment number D-8 to the delivery order he places to obtain copper controlled materials containing nickel by specification to replace in inventory any such copper controlled materials which he has delivered to fill authorized controlled material orders. Such delivery orders are hereby designated as authorized controlled material orders and must be certified by the copper controlled materials distributor as provided in section 20 of DMS Regulation No. 1: *Provided, however,* That authorized controlled material orders placed by copper controlled materials distributors pursuant to this section may call only for delivery of an equal weight (copper wire mill products must be computed on the basis of copper content) of copper controlled materials which he has delivered pursuant to authorized controlled material orders, and that the orders placed with his suppliers may call for delivery only during the calendar quarter in which the materials were taken from inventory of the distributor, or in the immediately succeeding calendar quarter.

(Sec. 704, 64 Stat. 816, as amended; 70 Stat. 408; 50 U. S. C. App. 2154)

This amendment shall take effect January 20, 1958.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCoy,
Administrator.

[F. R. Doc. 58-511; Filed, Jan. 20, 1958; 12:30 p. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter D—Federal Ship Mortgage and Loan Insurance

PART 296—INFORMATION CONCERNING FEDERAL SHIP MORTGAGE INSURANCE REVISION OF PART

CROSS REFERENCE: For revision of Part 296 and its supersedure by a new Part 298, Federal Ship Mortgage and Loan Insurance, see F. R. Doc. 58-494, *infra*.

[General Order 29, Rev.]

PART 298—FEDERAL SHIP MORTGAGE AND LOAN INSURANCE

Whereas, in compliance with section 4 of the Administrative Procedure Act, notice was published in the FEDERAL

REGISTER of August 2, 1957 (22 F. R. 6105) that the Maritime Administrator proposed to issue regulations (General Order 29, Rev.) governing Federal ship mortgage and loan insurance under Title XI, Merchant Marine Act, 1936, as amended (46 U. S. C. 1271-1279), pursuant to sections 204 (46 U. S. C. 1114) and 1108 (46 U. S. C. 1278) of the Merchant Marine Act, 1936, as amended; Reorganization Plan No. 21 of 1950 (3 CFR, 1950 Supp., page 173); Department of Commerce Statement of Organization and Functions of Federal Maritime Board and Maritime Administration (18 F. R. 5518; 20 F. R. 494; 21 F. R. 504); and Department of Commerce, Department Order No. 117 (Amended) of September 3, 1953, and amendments thereto, and interested persons were afforded an opportunity to submit written data, views and arguments for consideration in connection with the proposed regulations on or before September 20, 1957 (as extended, 22 F. R. 7058); and

Whereas, the Maritime Administrator, after consideration of all relevant matter presented, has revised the proposed regulations and deems them to be necessary or appropriate to carry out the provisions of Title XI, Merchant Marine Act, 1936, as amended;

Now, therefore, the following Part 298 (General Order 29, Rev.) is hereby adopted:

Subchapter D is hereby changed to read "Federal Ship Mortgage and Loan Insurance."

A new part designated as Part 298 is hereby added to this subchapter reading as follows:

Sec.	Purpose.
298.1	Definitions.
298.2	Definitions.
298.3	Definitions.
298.4	Eligibility requirements.
298.5	Additional information; examination of records; inspection of property.
298.6	Prior loans; refinancing.
298.7	Actual cost; maximum insurance payable.
298.8	Loans; mortgages.
298.9	After assignment.
298.10	Premium charges.
298.11	Applicability of the regulations in this part.

AUTHORITY: §§ 298.1 to 298.11 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114. Interpret or apply sec. 1108, 52 Stat. 973, as amended; 46 U. S. C. 1278.

§ 298.1 *Purpose.* The purpose of this part is to prescribe rules and regulations to carry out the provisions of Title XI of the Merchant Marine Act, 1936, as amended (46 U. S. C. 1271-1279).

§ 298.2 *Definitions.*—(a) *Mortgage.* The term "mortgage" includes a preferred mortgage as defined in the Ship Mortgage Act, 1920, as amended, and a mortgage which will become a preferred mortgage when recorded and endorsed as required by the Ship Mortgage Act, 1920, as amended;

(b) *Loan.* The term "loan" includes any loan or advance of credit other than a mortgage loan;

(c) *Vessel.* The term "vessel" includes all types of passenger, cargo, and combination passenger-cargo carrying vessels, tankers, tugs, towboats, barges, and dredges documented under the laws of the United States and fishing vessels

owned by citizens of the United States;

(d) *Mortgagee-lender.* The term "mortgagee" includes the original maker of a loan secured by a mortgage and his successors and assigns, except that in the case of a mortgage involving a trust indenture and an issue of bonds or notes thereunder, it means the trustee designated in such trust indenture and his successors and assigns as trustee, but does not include the holders of the bonds or notes issued under such trust indenture; and the term "lender" includes the original maker of any loan or advance of credit other than a loan secured by a mortgage, and his successors and assigns, except that in the case of a loan or advance of credit involving a trust indenture and an issue of bonds or notes thereunder, it means the trustee designated in such trust indenture and his successors and assigns as trustee, but does not include the holders of the bonds or notes issued under such trust indenture;

(e) *Mortgagor-borrower.* The term "mortgagor" includes the original borrower under a mortgage and his successors and assigns approved by the Secretary; and the term "borrower" includes the original borrower under a loan and his successors and assigns approved by the Secretary;

(f) *Actual cost.* The term "actual cost" of a vessel as of any specified date means the aggregate as determined by the Secretary of (1) all amounts paid by or for the account of the mortgagor or borrower on or before that date, and (2) all amounts which the mortgagor or borrower is then obligated to pay from time to time thereafter, for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting, and equipping) of such vessel;

(g) *Act.* The term "act" means the Merchant Marine Act, 1936, as amended;

(h) *Secretary.* The term "Secretary" includes the Secretary of Commerce; the Maritime Administrator and the Acting Maritime Administrator who by virtue of Reorganization Plan No. 21 of 1950 (3 CFR, 1950 Supp., page 173), Department of Commerce Statement of Organization and Functions of Federal Maritime Board and Maritime Administration (18 F. R. 5518; 20 F. R. 494; 21 F. R. 504), and Department of Commerce, Department Order No. 117 (Amended) of September 3, 1953, and amendments thereto, are authorized to perform the duties and functions of the Secretary of Commerce under Title XI of the act; and the Deputy Maritime Administrator and other officials of the Maritime Administration authorized from time to time to perform the duties and functions of the Maritime Administrator and the Acting Maritime Administrator under Title XI of the act;

(i) *Administration.* The term "Administration" means the Maritime Administration of the Department of Commerce as created by Reorganization Plan No. 21 of 1950;

(j) *Related company.* The term "related company" shall include any person or concern that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the mortgagor or

borrower. The term "control" (including the terms "controlled by" and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the mortgagor or borrower (or related company) whether through ownership of voting securities, by contract or otherwise;

(k) *Actual cost; loans; items included and excluded.* In the case of a loan, amounts paid or obligated to be paid, as the case may be, for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of any vessel or vessels, for the purpose of determining "actual cost" under sections 1101 (f) and 1104 (b) (4) of the act and § 298.7 may include, unless found by the Secretary to be unfair or unreasonable—

(1) The amount or amounts (except amounts representing payments made or to be made by the Government as excluded below) included in the contract or contracts for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of the vessel or vessels, provided such contract or contracts shall include, in addition to profit, only those items normally included in such contract or contracts as contractor's items of cost, but shall not include—

(i) Payments made or to be made by the Government on account of national defense features or construction-differential subsidy,

(ii) Commitment fees on the loan and/or mortgage,

(iii) Charges under § 298.3 (d) and section 1104 (e) of the act,

(iv) Premium charges under § 298.10 and section 1104 (d) of the act,

(v) Interest on the loan and/or mortgage or other borrowings,

(vi) Fees, commissions or charges for securing the loan and/or mortgage,

(vii) Fees or charges for preparing, printing and/or filing application and supporting documents, for securing approval of the application, and for preparing, printing and/or processing documents relating to the loan and/or mortgage and the insurance thereof by the Secretary, or

(viii) Predelivery vessel operating expenses, vessel insurance premiums and any other items which, based upon generally accepted accounting principles, may not be capitalized as proper costs of the vessel or vessels to the owner;

(l) *Maximum insurance payable; loans.* In the case of a loan, amounts paid for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of any vessel or vessels, for the purpose of determining the maximum insurance payable pursuant to the proviso to the definition of the term "actual cost" in section 1101 (f) of the act, shall be limited to—

(1) Amounts paid on account of the items permitted to be included in the determination of "actual cost" in accordance with paragraph (k) of this section, where such maximum insurance payable is determined and approved by the Sec-

retary for the purpose of the contract of insurance at or prior to the time such contract is entered into, or

(2) Amounts paid on account of the items (not in excess of the respective amounts of the items) actually included in the determination of "actual cost" in accordance with paragraph (k) of this section for the purpose of the contract of insurance, where such maximum insurance payable is not determined and approved by the Secretary for the purpose of the contract of insurance at or prior to the time such contract is entered into;

(m) *Actual cost; mortgages; items included and excluded.* In the case of a mortgage, amounts paid or obligated to be paid, as the case may be, for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of any vessel or vessels, for the purpose of determining "actual cost" under sections 1101 (f) and 1104 (a) (2) of the act and § 298.7, may include, unless found by the Secretary to be unfair or unreasonable—

(1) The amount or amounts (except amounts representing payments made or to be made by the Government as excluded below) included in the contract or contracts for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of the vessel or vessels, provided such contract or contracts shall include, in addition to profit, only those items normally included in such contract or contracts as contractor's items of cost,

(2) Commitment fees on the loan and/or mortgage,

(3) Interest on the loan,

(4) Fees, commissions or charges for securing the loan and/or mortgage,

(5) Fees or charges for preparing, printing and/or filing application and supporting documents, for securing approval of the application, and for preparing, printing and/or processing documents relating to the loan and/or mortgage and the insurance thereof by the Secretary, and

(6) Commitment fees and interest on borrowings (not included in the loan and not obtained from the shipyard) the proceeds from which are used to pay obligations constituting a part of "actual cost",

but shall not include—

(i) Payments made or to be made by the Government on account of national defense features or construction-differential subsidy,

(ii) Charges under § 298.3 (d) and section 1104 (e) of the act,

(iii) Premium charges under § 298.10 and section 1104 (d) of the act,

(iv) Interest on the mortgage, or

(v) Predelivery vessel operating expenses, vessel insurance premiums and any other items which, based upon generally accepted accounting principles, may not be capitalized as proper costs of the vessel or vessels to the owner;

(n) *Maximum insurance payable; mortgages.* In the case of a mortgage, amounts paid for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and

equipping) of any vessel or vessels, for the purpose of determining the maximum insurance payable (in addition to that permitted under § 298.7 (b) pursuant to the proviso to the definition of the term "actual cost" in section 1101 (f) of the act, shall be limited to—

(1) Amounts paid on account of the items permitted to be included in the determination of "actual cost" in accordance with paragraph (m) of this section, where such maximum insurance payable is determined and approved by the Secretary for the purpose of the contract of insurance at or prior to the time such contract is entered into, or

(2) Amounts paid on account of the items (not in excess of the respective amounts of the items) actually included in the determination of "actual cost" in accordance with paragraph (m) of this section for the purpose of the contract of insurance, where such maximum insurance payable is not determined and approved by the Secretary for the purpose of the contract of insurance at or prior to the time such contract is entered into; and

(c) *Maximum insurance payable; limitation.* The proviso to the definition of the term "actual cost" in section 1101 (f) of the Act is construed as a limitation on insurance payable in respect of the unpaid principal of a loan or mortgage and not as a limitation or restriction on insurance payable as interest thereon nor as a limitation or restriction on the pledge of the faith of the United States, as provided in section 1103 (d) of the act, to the payment of the interest on and the unpaid balance of the principal of mortgages and loans insured under Title XI of the act. Accordingly, the terms "maximum insurance payable" and "maximum insurance payable pursuant to the proviso to the definition of the term 'actual cost' in section 1101 (f) of the act" as used in the regulations in this part means maximum insurance payable in respect of the principal of a loan or mortgage and not in respect of the interest thereon.

§ 298.3 *Applications*—(a) *Types.* Any United States citizen may make application to the Administration for mortgage or loan insurance, and for commitments to insure, in accordance with the act and the regulations in this part and such other terms as the Secretary may prescribe.

(b) *Simultaneous applications.* Simultaneous applications may be submitted for mortgage insurance and loan insurance.

(c) *Form and time of filing.* Applications must be in form, contain information, be accompanied by supporting documents and be certified as prescribed or approved by the Secretary. Applications shall be on file with the Administration complete with all supporting documents and data in sufficient time to permit the Secretary to make a full and complete investigation and to take all other action required in respect thereof and in any event no later than 90 days prior to the anticipated date of the closing of the transaction.

(d) *Investigation fee.* Each application must be accompanied by payment

pursuant to section 1104 (e) of the act in the amount of \$100.00 or one-half of one per centum of the original principal amount of the mortgage or loan to be insured, whichever is less, which payment shall be retained by the Secretary irrespective of the final disposition of the application. After preliminary consideration of the application, the applicant shall pay to the Secretary upon request such additional amount or amounts as the Secretary may deem reasonable for the investigation of the application for insurance, for the appraisal of properties offered for insurance, for the issuance of commitments, and for the inspection of such properties during construction, reconstruction or reconditioning: *Provided,* That such charges shall not aggregate more than one-half of one per centum of the original principal amount of the mortgage or loan to be insured. Any additional amount or amounts so paid shall be retained by the Secretary if the application is approved, and one-half of any additional amount or amounts so paid shall be retained by the Secretary if the application is not approved. Unless otherwise agreed by the mortgagor or borrower and the mortgagee or lender, all such amounts shall be paid by the mortgagor or borrower.

(e) *Commitment to insure and insurance contract.* Upon approval of an application, and upon payment of all amounts charged under paragraph (d) of this section and of all premium charges (if any) which shall then be due and payable in accordance with section 1104 (d) of the act and § 298.10, a commitment to insure and/or insurance contract, as the case may be, as contemplated by section 1103 of the act, will be made or entered into with the mortgagee or lender and/or the mortgagor or borrower, as determined or approved by the Secretary. The commitment to insure and/or insurance contract shall be as prescribed or approved by the Secretary.

§ 298.4 *Eligibility requirements*—(a) *Mortgage.* To be eligible for insurance under Title XI of the act, a mortgage shall conform to the requirements of section 1101 (a) of the act, § 298.2 (a) and, excepting as otherwise provided in section 1106 of the act, to section 1104 (a) of the act.

(b) *Loan; interest rate.* To be eligible for insurance under Title XI of the act, a loan shall conform to the requirements of sections 1101 (b) and 1104 (b) of the act and § 298.2 (b), and its status in respect of other loans or indebtedness of the borrower shall be subject to the approval of the Secretary. In the case of interest on loans, the requirements stated in section 1104 (b) (6) of the act shall be construed to mean interest (exclusive of premium charges for insurance) at a rate not to exceed 5 per centum per annum on the amount of the unpaid principal at any time, or not to exceed 6 per centum per annum if the Secretary finds that in certain areas or under special circumstances the mortgage or the lending market demands it, the same as provided for interest on mortgages under section 1104 (a) (5) of the act.

(c) *Second mortgage.* Subject to the approval of the Secretary in each instance, mortgages and loans otherwise eligible for insurance may be insured with respect to vessels which are subject to existing preferred mortgages as defined in the Ship Mortgage Act, 1920, as amended, provided such existing mortgages are first lien mortgages and secure obligations held exclusively by the United States as mortgagee under such mortgages.

(d) *Economic soundness.* No commitment to insure a mortgage or loan will be made by the Secretary unless he finds, at or prior to the time such commitment is made, that the property or project with respect to which the mortgage or loan will be executed or made will be, in his opinion, economically sound, and no mortgage or loan, unless executed or made pursuant to a prior commitment, will be insured unless the Secretary finds, at or prior to the time the insurance becomes effective, that the property or project with respect to which the mortgage or the loan is executed or made will be, in his opinion, economically sound.

(e) *Term of mortgage.* To be eligible, a mortgage shall secure bonds, notes, or other obligations having maturity dates satisfactory to the Secretary but not to exceed twenty years from the date of its execution. In no event will a mortgage be insured for a term longer than the economic life of the mortgaged property, as determined by the Secretary. Ordinarily, the economic life of a vessel will be determined as running not more than twenty years from the date of completion of the original construction of the vessel and not from the date of completion of any reconstruction or reconditioning thereof.

(f) *United States citizenship.* The United States citizenship of each mortgagor, borrower, mortgagee and lender, and his successors and assigns, if any, shall be established within the meaning of section 2 of the Shipping Act, 1916, as amended, sections 37 and 38 of the Merchant Marine Act, 1920, as amended, and section 905 (c) of the Merchant Marine Act, 1936, as amended, to the satisfaction of the Secretary. The United States citizenship of each managing agent or bareboat charterer of the vessel or vessels shall likewise be established. In the case of a mortgage or loan involving a trust indenture, the mortgagee or lender will be deemed to be a citizen if the trustee designated in such trust indenture, and his successors and assigns as trustee, if any, so qualifies as a citizen of the United States.

(g) *Vessel requirements.* No loan will be insured unless the vessel is designed to meet, and no mortgage will be insured unless the vessel, at the time of execution of the mortgage meets, (1) all requirements to entitle her to the highest classification and rating for vessels of the same age and type in the American Bureau of Shipping except in those cases where such requirements are not applicable to the type of vessel involved, and (2) all requirements of applicable laws, treaties and conventions, and the rules and regulations issued thereunder, including, without limitation thereto, the

International Convention for Safety of Life at Sea, 1929, as amended by the 1948 Convention, and all laws, rules and regulations administered by the United States Coast Guard, the Bureau of Customs, Treasury Department, the Federal Communications Commission, the Public Health Service, Department of Health, Education, and Welfare, or their successors.

(h) *American built and documented.* All construction, reconstruction and reconditioning of vessels for which loan or mortgage insurance is granted shall be performed in a shipyard or shipyards within the continental limits of the United States, and all vessels constructed, reconstructed or reconditioned with Title XI aid shall upon completion be documented under the laws of the United States.

(i) *Competitive bids.* Competitive bids shall be required for all construction, reconstruction and reconditioning of vessels for which loan or mortgage insurance is granted and, except as otherwise permitted under section 504 of the act, the work shall be awarded to the lowest responsible bidder.

(j) *Working capital; general.* To be eligible for loan and mortgage insurance, the applicant shall submit evidence satisfactory to the Secretary showing that at the time of execution of the contract of insurance he will have working capital (determined in accordance with generally accepted accounting principles) or other funds satisfactory to the Secretary, which working capital or funds will be available for the proposal under application, equal at least to the amount required by paragraph (k), (l) or (m) of this section, as the case may be.

(k) *Working capital; loan replaced by mortgage.* In the case of a loan which will be replaced by a mortgage, the minimum working capital or funds required by paragraph (j) of this section shall be an amount equal to the sum of the following, less any payments on account thereof:

(1) Complement of the loan, e. g. 25 per centum of "actual cost" as determined in accordance with § 298.7 (a) where the loan is 75 per centum of such "actual cost".

(2) Interest and commitment fees on the loan.

(3) Interest and commitment fees on borrowings (not included in the loan) the proceeds from which are used to pay obligations constituting a part of "actual cost", and on any other borrowings.

(4) Charges under § 298.3 (d) and section 1104 (e) of the act.

(5) Loan insurance premium charges under § 298.10 and section 1104 (d) of the act.

(6) Fees, commissions or charges for securing the loan and/or mortgage.

(7) Fees or charges for preparing, printing and/or filing application and supporting documents, for securing approval of the application, and for preparing, printing and/or processing documents relating to the loan and/or mortgage.

and the insurance thereof by the Secretary.

(8) Commitment fees on the mortgage loan accruing during the period prior to execution of the mortgage, and

(9) Such other expenditures as may be required to effect delivery of the vessel or vessels.

In addition to the foregoing, unless available from the proceeds of the mortgage, the sum of the following shall be provided:

(i) The first year's amortization of mortgage loan, including both principal and interest.

(ii) One year's premiums for vessel insurance, including Marine and Hull, Protective and Indemnity, and War Risk Insurance.

(iii) The first year's mortgage insurance premium charge under § 298.10 and section 1104 (d) of the act, and

(iv) Any additional amount determined by the Secretary to be necessary by reason of other activities of the mortgagor not covered by paragraph (o) of this section.

(l) *Working capital; loan only.* In the case of a loan only, the minimum working capital or funds required by paragraph (j) of this section shall be an amount equal to the sum of subparagraphs (1) through (9) of paragraph (k) of this section, excepting subparagraph (8), less any payments made on account thereof.

(m) *Working capital; mortgage only.* In the case of a mortgage only, the minimum working capital or funds required by paragraph (j) of this section shall be an amount equal to the sum of the following, less any payments made on account thereof:

(1) Complement of the mortgage, e. g. 25 per centum or 12½ per centum, as the case may be, of "actual cost" as determined in accordance with § 298.7 (a).

(2) Charges under § 298.3 (d) and section 1104 (e) of the act.

(3) The first year's amortization of mortgage loan, including both principal and interest.

(4) One year's premiums for vessel insurance, including Marine and Hull, Protective and Indemnity, and War Risk Insurance.

(5) The first year's mortgage insurance premium charge under § 298.10 and section 1104 (d) of the act, and

(6) Any additional amount determined by the Secretary to be necessary by reason of other activities of the mortgagor not covered by paragraph (o) of this section.

(n) *Net worth; mortgage and loan.* To be eligible for loan and/or mortgage insurance, the applicant shall submit evidence satisfactory to the Secretary showing that at the time of execution of the contract of insurance he will have net worth (equity capital) composed of outstanding paid-in capital stock or a combination of paid-in capital stock and paid-in surplus and/or earned surplus, but not less than 50 per centum of which shall represent common stock equity, in an amount equal to at least the following:

(1) Complement of the mortgage, e. g. 25 per centum or 12½ per centum, as the

case may be, of "actual cost" as determined in accordance with § 298.7 (a), or of the loan (if not to be replaced by a mortgage), e. g. 25 per centum of "actual cost" as determined in accordance with § 298.7 (a).

(2) Plus, in the case of a mortgage, one pro rata portion of the proposed original principal amount of the mortgage, e. g. 1/20th on a twenty-year mortgage or 1/10th on a ten-year mortgage, etc.,

(3) Plus, any additional amount determined by the Secretary to be necessary by reason of other activities of the applicant not covered by paragraph (o) of this section.

(o) *Minimum financial requirements.* The minimum financial requirements of paragraphs (j) through (n) of this section shall be met by applicants for insurance under Title XI of the act, in addition to any requirement or requirements previously or concurrently imposed and currently required to be maintained under said Title XI or other law or regulation administered by the Secretary, the Maritime Administrator, the Federal Maritime Board or others, or under any covenant or agreement by which the applicant is bound.

§ 298.5 *Additional information; examination of records; inspection of property—(a) Additional information.* The mortgagor, mortgagee, borrower or lender, as the case may be, shall from time to time (both prior to and after the insurance becomes effective) furnish to the Secretary, promptly upon his request, such reasonable, material and pertinent reports, evidence, proof or information, in addition to that furnished in the application or otherwise available to the Secretary, bearing on the eligibility of the mortgage or loan, the economic soundness of the property or project, and other matters pertaining to the mortgage or loan and the insurance thereof by the Secretary, as the Secretary may reasonably deem necessary or appropriate in connection with the performance of his duties and functions under Title XI of the act.

(b) *Examination of mortgagor's or borrower's records.* The mortgagor or borrower, as the case may be (and each related company in specific cases as required by the Secretary), shall from time to time (both prior to and after the insurance becomes effective) permit the Secretary, upon his request, to make such reasonable, material and pertinent examination and audit of its books, records and accounts, and to take such information therefrom and make such transcripts or copies thereof, as the Secretary may reasonably deem necessary or appropriate in connection with the performance of his duties and functions under Title XI of the act.

(c) *Examination of mortgagee's or lender's records.* The mortgagee or lender, as the case may be, shall from time to time (both prior to and after the insurance becomes effective) permit the Secretary, upon his request, to make such reasonable, material and pertinent examination and audit of its records and books of account pertaining to the mortgage or loan and the obligations secured

by the mortgage or evidencing the loan and the commitment to insure and/or insurance contract, and to take such information therefrom and make such transcripts or copies thereof as the Secretary may reasonably deem necessary or appropriate in connection with the performance of his duties and functions under Title XI of the act.

(d) *Inspection of property.* The Secretary shall have access at all reasonable times to all vessels and other property with respect to which the mortgage or loan is or is intended to be executed or made for the purpose of making such inspection as he may deem necessary or appropriate in connection with the performance of his duties and functions under Title XI of the act.

(e) *Provisions to be included in documents.* Provisions to implement the matters referred to in paragraphs (a), (b), (c) and (d) of this section shall be included in the commitment or commitments to insure, the insurance contract or contracts, the loan agreement, the mortgage and/or the shipyard contract as may be appropriate.

§ 298.6 *Prior loans; refinancing—(a) Insurance of mortgages under section 1106 of act.* No mortgage securing a loan or advance made prior to the enactment of Title XI of the act will be insured, and no mortgage will be insured for refinancing in whole or in part any existing mortgage indebtedness except as provided in section 1106 of the act. The insurance of a mortgage for refinancing in whole or in part an insured loan secured by a chattel mortgage shall not be considered as prohibited by section 1106 of the act or by the preceding sentence. In the case of mortgages insured under said section 1106, the principal amounts of such mortgages, the eligibility requirements of such mortgages, the amounts of insurance, the limits on insurance payable by the Secretary, and other terms, to the extent not specified in the act or the regulations in this part, shall be as determined or approved by the Secretary.

(b) *Inclusion of existing mortgage under section 1106 (1) of act.* In the case of any mortgage insured for refinancing an existing purchase money mortgage indebtedness under section 1106 (1) of the act, the amount of the mortgage may, subject to the approval of the Secretary, include the unpaid principal balance of the existing mortgage (not to exceed 75 per centum of the purchase price of the vessel or 75 per centum of the Secretary's determination of the fair and reasonable value of the vessel, whichever is the lesser) if the vessel covered thereby is a comparatively new vessel, as determined by the Secretary, purchased by the mortgagor.

§ 298.7 *Actual cost; maximum insurance payable—(a) When determined.* Actual cost for the purpose of loan insurance shall be determined by the Secretary in accordance with sections 1101 (f) and 1104 (b) (4) of the act and § 298.2 (k) prior to the making of an advance under the loan and the execution of the contract of insurance. Such determination may be revised by the

Secretary at any time during the period of construction, reconstruction or reconditioning. Actual cost for the purpose of mortgage insurance shall be determined by the Secretary in accordance with sections 1101 (f) and 1104 (a) (2) of the act and § 298.2 (m) prior to the execution, delivery and recordation of the mortgage and the execution of the contract of insurance. If the insurance contract is prepared and entered into on the basis of an advance determination of the maximum insurance payable, such maximum insurance payable shall be determined by the Secretary in lieu of actual cost in accordance with the proviso to the definition of the term "actual cost" in section 1101 (f) of the act and § 298.2 (l) or (n), as the case may be (and, if applicable, paragraph (b) of this section), at or prior to the time the contract of insurance is entered into.

(b) *Limitation on insurance payable.* The Secretary shall not in any event pay as insurance under Title XI of the act in respect of the unpaid principal amount of a loan or mortgage an amount in excess of that permitted under the proviso to the definition of the term "actual cost" in section 1101 (f) of the act, determined in accordance with said section 1101 (f) and with § 298.2 (l) or (n), as the case may be. The maximum insurance payable as aforesaid may include the unpaid principal balance of an existing mortgage covering a comparatively new vessel purchased by the mortgagor and included, in accordance with § 298.6 (b), in a mortgage insured for refinancing under section 1106 (1) of the act.

(c) *Mortgage generally insured on basis of maximum insurance payable.* Generally, a mortgage shall be insured on the basis of an advance determination of maximum insurance payable, determined as provided in paragraph (b) of this section. However, a mortgage will be insured by the Secretary on the basis of a determination of actual cost under paragraph (a) of this section based on amounts obligated to be paid as well as amounts paid, provided (1) the mortgagor shall have otherwise met all requirements of the act and the regulations in this part and any additional requirements imposed by the Secretary, (2) funds of the mortgagor equal to the mortgagor's share of any amounts included in the Secretary's determination of actual cost but not paid shall have been deposited into an escrow account together with proceeds of the mortgage loan equal to the borrowed portion of said amounts, (3) the documents shall provide for use of the escrow account for payment of deferred amounts within an agreed period and at the expiration of said period for payment to the mortgagor for reimbursement of itself and to the mortgagee for payment on account of the principal of the obligation or obligations secured by the mortgage, respectively, of the ratable amounts remaining in the escrow account representing funds of the mortgagor and proceeds of the mortgage loan, and (4) the mortgagor shall have prepaid to the mortgagee interest at the mortgage rate on the borrowed portion

of the escrow account for the period allowed for payment of the deferred amounts.

§ 298.8 *Loans; mortgages—(a) Nature of loan; loan agreement.* The loan may be any loan or advance of credit other than a mortgage (excluding chattel mortgage) loan. It shall be upon such terms and conditions as may be agreed upon between the lender and the borrower and approved by the Secretary and not inconsistent with Title XI of the act or the regulations in this part. The loan shall be guaranteed or secured in such manner as may be agreed upon between the lender and borrower and/or other parties and as may be approved by the Secretary and not inconsistent with the act. The terms and conditions of the loan shall be embodied in an appropriate loan agreement as prescribed or approved by the Secretary.

(b) *Nature of mortgage.* The mortgage shall be a preferred mortgage as defined in the Ship Mortgage Act, 1920, as amended, or a mortgage which will become a preferred mortgage when recorded and endorsed as required by the Ship Mortgage Act, 1920, as amended. It shall cover the vessel or vessels whose construction, reconstruction or reconditioning is financed under Title XI of the act and, except as otherwise approved by the Secretary, shall be a first and prior lien on said vessel or vessels. The mortgage shall be as prescribed or approved by the Secretary, and the obligations secured thereby shall be otherwise guaranteed or secured in such manner as may be agreed upon between the mortgagor and mortgagee and/or other parties and as may be approved by the Secretary and not inconsistent with Title XI of the act or the regulations in this part, and the status of the mortgage as a preferred mortgage or as a mortgage which will become a preferred mortgage when recorded and endorsed as required by the Ship Mortgage Act, 1920, as amended, shall be established to the Secretary's satisfaction.

(c) *Required provisions; shipyard and related contracts.* In the case of the insurance of a loan for the construction, reconstruction or reconditioning of a vessel or vessels, or in the case of a commitment to insure a mortgage on a vessel or vessels to be constructed, reconstructed or reconditioned, the terms and conditions for the performance of the work shall be embodied in an appropriate contract or contracts (or specifications thereof) as prescribed or approved by the Secretary. In the case of vessels for which the Government makes payments of national defense features or construction-differential subsidy, such terms and conditions will be those required in connection with such payments. In the case of other vessels, such terms and conditions will include—

(1) Provisions for the furnishing of satisfactory insurance and a satisfactory performance bond by the contractor.

(2) Provisions for the performance of the work substantially in accordance with contract plans and specifications approved by the Secretary; requiring the

approval of the Secretary (to be coordinated through the owner but not extending to the adjudication of cost as between the owner and the contractor) of all changes under the contract, such approval to be obtained prior to the commencement of work in the case of any substantial change in the contract plans and specifications or any change in the contract plans and specifications which increases the contract price (except as to the latter where made within any allowance for changes provided in the contract); requiring that the Secretary be furnished the technical data necessary for the approval of changes; and giving the Secretary the right of comment to the owner on working plans during construction in order to properly protect the interests of the Government.

(3) Provision permitting representatives of the Secretary (or an independent naval architect, if approved or required by the Secretary) to have access to the vessel or vessels or other property and to all work being performed by the contractor or contractors at all reasonable times during performance, including but not limited to observing all trials and tests, for the purpose of inspecting and ascertaining that the vessel is being built or has been completed substantially in accordance with contract plans and specifications approved by the Secretary.

(4) Provisions for furnishing to the Secretary (or to an independent naval architect, to the extent directed by the Secretary) two copies of all working plans, schedules and sketches promptly after approval by the owner and the regulatory bodies concerned, two copies of all correspondence between the contractor, owner and/or regulatory bodies pertaining to plan approval and contract changes promptly after the same is issued, one copy of the vessel's certificates and documents, one copy of the approved inclining experiment if conducted, one copy of all trial and test reports, and one cloth process tracing or microfilm of each of the shipyard working plans, and

(5) Provision for payment for the work in accordance with an agreed schedule but not in conflict with the requirements of paragraph (e) of this section; for the certification by a Construction Representative of the Administration or, if the Secretary so approves or requires, by an independent naval architect of the performance of work for which payments are being made and of the performance of such work substantially in accordance with contract plans and specifications approved by the Secretary before each payment is made (except payments representing advance payments from sources other than the loan); and for the vesting of title to the work in the borrower according to payments made subject only to the lien or other rights of the contractor for additional amounts due and unpaid.

(d) *Required provisions; loan agreement and commitment.* The loan agreement or the commitment to insure mortgage, as the case may be, shall contain provisions as determined by the

Secretary to be appropriate in respect of the matters referred to in paragraph (c) of this section and also requiring—

(1) That the borrower's right, title and interest in, to and under the contract or contracts for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of the vessel or vessels shall be assigned to the lender and its assigns, and that such contracts shall not be modified without the prior written consent of the Secretary.

(2) That the borrower or proposed mortgagor, as the case may be, shall cause records to be kept of all amounts paid by or for its account for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of the vessel or vessels, and shall furnish in duplicate to the Secretary, as such payments are made, evidence in the form of signed receipts from the contracting party and executed certificates of payment by the borrower or proposed mortgagor, as the case may be, or other evidence satisfactory to the Secretary, of all such payments, together with executed copies of certificates in respect of performance of work referred to in paragraph (c) (5) of this section and, in the case of an insured loan, executed copies of the covering requisition for payment referred to in subparagraph (3) of this paragraph.

(3) In the case of an insured loan, that payments shall not be advanced by the lender except on receipt of appropriate requisitions for payment from the borrower certified by the borrower and accompanied by certified billings from the contracting party or parties and by executed copies of the certificates in respect of performance of work referred to in paragraph (c) (5) of this section (with the approval of the Secretary endorsed thereon if such certificates are by an independent naval architect), and

(4) That the borrower or proposed mortgagor shall furnish to the Secretary at or immediately prior to the time the mortgage is placed on the vessel a certification by the borrower or proposed mortgagor and a statement by an independent certified accountant or firm of accountants of the total amounts paid or obligated to be paid by or for the account of the borrower or proposed mortgagor for the construction, reconstruction or reconditioning (including designing, inspecting, outfitting and equipping) of the vessel or vessels, together with a breakdown of such totals according to items for which paid or obligated to be paid and accompanied by a certificate by a Construction Representative of the Administration or, if the Secretary so approves or requires, by an independent naval architect that all work has been completed substantially in accordance with the contract plans and specifications approved by the Secretary.

(e) *Provisions for payment of "actual cost".* The loan agreement shall include provisions—

(1) For the payment first, from sources other than the loan, by or for the account of the owner, of not less than 12½ percent of "actual cost" as determined for the purpose of the loan

and, thereafter, when the aggregate of the payment so made from sources other than the loan and the payments made from the loan equals 50 percent of said "actual cost" (and before any additional payments are made from the loan), a further payment from sources other than the loan in such additional amount as will make the total of such payments equal not less than 25 percent of said "actual cost", and for payment on the same basis in connection with any increase in the previously determined "actual cost", and

(2) For payments by the lender direct to the shipyard or other contractors except where the payment is for reimbursement of the borrower for amounts expended by or for the account of the borrower on account of "actual cost" (but excluding reimbursement for payments required under subparagraph (1) of this paragraph): *Provided, however,* That no payment shall be made by the lender until work representing 12½ percent of "actual cost" shall have been performed and that payments by the lender shall at no time exceed 75 percent of "actual cost" as represented by work performed to the date of the payment.

(f) *Defaults.* Provisions governing defaults, the rights and obligations of the parties in respect thereto, and other provisions, as appropriate, shall be included in the mortgage or loan agreement, the contract of insurance and/or the commitment to insure. In the case of any default specified in section 1105 (a) (1) or section 1105 (a) (2) of the act, no demand shall be made prior to the expiration of thirty days after the default and then only if there shall have been a failure on the part of the mortgagor or borrower to remove and remedy the default within said thirty days: *Provided, however,* That this requirement shall be inapplicable if the Secretary shall have given notice of his intention to terminate the contract of insurance in accordance with said section 1105 (a) (1) or section 1105 (a) (2), as the case may be. Neither the mortgage nor the loan agreement shall impair the right of the mortgagor or borrower to remedy and remove any default within thirty days after the default, and in no event shall an obligation be imposed on the mortgagor or borrower to pay accelerated principal or increased interest without the prior written consent of the Secretary.

(g) *Covenants to Secretary; optional termination of insurance.* The loan agreement and the mortgage shall provide that any default arising under the loan agreement or the mortgage solely by reason of the failure of the borrower or mortgagor to perform an obligation to the Secretary thereunder (where such obligation runs only to the Secretary or, if a joint obligation to the Secretary and the lender or mortgagee, where such obligation has been satisfied as to the lender or mortgagee) shall not constitute a default except with the prior written approval of the Secretary. The contract of insurance shall also provide for the termination of insurance at the option of the Secretary for the failure of the lender or mortgagee, as the case may be,

to pay premiums received from the borrower or mortgagor and due under the contract of insurance, after written demand therefor by the Secretary, or to perform and comply with specified conditions and covenants of the contract of insurance, after notice of breach is given by the Secretary.

(h) *Maintenance, insurance and operation of vessels; other covenants.* The mortgage shall include provisions, as appropriate, for the maintenance of the vessel or vessels in class, the maintenance of insurance on the vessel or vessels and the operation of the vessel or vessels in approved trade or trades. The mortgage and/or loan agreement shall also include such other covenants by the mortgagor or borrower as the mortgagee or lender and/or the Secretary shall require.

(i) *Financial covenants; general.* The imposition of financial covenants upon the borrower or mortgagor under the circumstances of the particular financing is regarded by the Secretary as the initial responsibility of the lender or mortgagee. If the Secretary finds that the proposed loan agreement and/or mortgage contains provisions (including in the case of a mortgage, provisions in respect of the payment, including accelerated payment, of the mortgage indebtedness and the maintenance of working capital and net worth) adequate to safeguard the interests of the United States, no further conditions will be imposed by the Secretary. However, if the Secretary finds that the loan agreement and/or mortgage does not contain such provisions, then the Secretary will require the inclusion of provisions deemed by him to be adequate for this purpose. These will include provisions as specified in paragraphs (j), (k) and (l) of this section or such further or alternate provisions as the Secretary may deem appropriate in the particular case, such as provisions relating to payment of the mortgage indebtedness, payment of crews' wages when due and additional provisions in respect of maintenance of working capital and net worth.

(j) *Reserve fund.* In the case of a mortgage given by a mortgagor who does not hold an operating-differential subsidy agreement and if the Secretary finds that the mortgage does not contain provisions adequate to safeguard the interests of the United States, the mortgage shall include a requirement that the net income of the mortgaged vessel or vessels for each fiscal year of the mortgagor (after all applicable costs and expenses, including reasonable allocation of overhead and provision for Federal income taxes, but before provision for depreciation) determined in accordance with the system of accounts prescribed in General Order 22 (Revised), as amended (Part 282 of this chapter) to the extent applicable, and to the extent not applicable, in accordance with sound accounting principles, be treated or applied, within 120 days after the end of each fiscal year, as follows (in the order named and to the extent available):

(1) First there shall be deducted an amount equal to the principal amount of the obligation or obligations secured by

the mortgage or mortgages, as the case may be, on the vessel or vessels required to be paid by the mortgagor during such fiscal year (other than from the fund referred to in subparagraph (2) of this paragraph), plus an amount (to be specified in the mortgage) representing a reasonable return on the greater of (i) the mortgagor's investment in the vessel or vessels (and related necessary fixed assets as approved by the Secretary) at the time of execution of the mortgage exclusive of all borrowed capital or (ii) the sum of subparagraphs (1) and (2) of § 298.4 (n);

(2) If any balance remains, an amount equal to one year's pro rata share of the original principal amount of the obligation or obligations secured by the mortgage or mortgages, as the case may be, on the vessel or vessels shall be deposited by the mortgagor into a fund satisfactory to the Secretary, the withdrawal from which shall require the countersignature of the Secretary but whose countersignature shall not be withheld if the disbursement is being made for any purpose authorized by the terms of the mortgage or otherwise approved by the Secretary; and

(3) If any balance remains, an amount equal to 50 per centum thereof shall be deposited into the fund referred to in subparagraph (2) of this paragraph, subject to withdrawal as therein provided.

Any balance in the fund referred to in subparagraphs (2) and (3) of this paragraph, whether cash, securities or obligations, shall constitute and be held as collateral for the obligation or obligations secured by the mortgage.

(k) *Covenants regarding working capital and net worth.* In the case of a mortgage given by a mortgagor who does not hold an operating-differential subsidy agreement and if the Secretary finds that the mortgage does not contain provisions adequate to safeguard the interests of the United States, the mortgage shall include a requirement that so long as the obligation or obligations secured by the mortgage shall remain unpaid,

(1) No capital shall be withdrawn;

(2) No share capital shall be redeemed or converted into debt;

(3) No dividend shall be paid;

(4) No loan or advance (except advances to cover current expenses of the mortgagor) shall be made, either directly or indirectly, to any stockholder, director, officer, or employee of the mortgagor or to any related company;

(5) No investment shall be made in the securities of any related company;

(6) No indebtedness to any stockholder, director, officer, or employee of the mortgagor or to any related company existing on the date of execution and delivery of the mortgage and having a stated maturity of more than one year from such date, shall be repaid in whole or in part;

(7) No salary (including the value or amount of any bonus, commission or other form of direct compensation) at a rate in excess of \$25,000.00 per annum shall be paid; and

(8) No fixed assets shall be acquired other than those required for the normal maintenance and operation of any vessel or vessels owned by the mortgagor;

if, after such transaction or transactions and after excluding any amount or amounts otherwise required to be maintained or set aside by the mortgagor for other purposes pursuant to any law or regulation or any covenant or agreement by which the mortgagor is bound, the amount of the mortgagor's working capital (determined in accordance with generally accepted accounting principles) would be less than the sum of subdivisions (i), (ii), (iii) and (iv) of § 298.4 (k) (9), or the amount of the mortgagor's net worth (defined in § 298.4 (n)) would be less than the minimum stated in § 298.4 (n) or (if said net worth shall be in excess of the then outstanding principal balance of the mortgage by more than 10 per centum) an amount equal to 110 per centum of the principal balance of the mortgage from time to time outstanding, provided that the mortgagor shall have requested and the Secretary shall have given his prior written consent to a reduction to the latter amount.

(l) *Covenant regarding termination of subsidy agreement.* In the case of a mortgage given by a mortgagor who holds an operating-differential subsidy agreement and if the Secretary finds that the mortgage does not contain provisions adequate to safeguard the interests of the United States, the mortgage shall include a requirement that the termination or expiration of the operating-differential subsidy agreement when not immediately replaced (without interval) by another operating-differential subsidy agreement shall be an event of default under the mortgage.

(m) *Provisions in case of multiple vessels.* When the property with respect to which the mortgage or loan is executed or made consists of two or more vessels or other units, the mortgage or loan agreement, the commitment to insure and/or the contract of insurance shall contain provisions as appropriate, setting forth the extent to which the same shall be effective and other related matters in the event less than all of said vessels or units shall have, during the continuance of the commitment to insure or of the insurance, become the subject of actual or constructive total loss, been requisitioned for title, or been sold or otherwise disposed of.

(n) *Other required provisions.* Provisions with respect to—

(1) The amendment or supplementation of the mortgage and the obligations secured thereby or the insured loan and the obligations evidencing such loan, including all documents in connection therewith, and the waiver of or consent to defaults of the mortgagor or borrower thereunder;

(2) The release or compromise of claims under the mortgage or loan agreement against the mortgagor or borrower;

(3) The sale, assignment or transfer of the mortgage or loan agreement and the obligations secured by the mortgage or evidencing the loan or the vessel or vessels or other property with respect to

which the mortgage or loan is executed or made, or the mortgage or charter of said vessel or vessels or other property.

(4) The enforcement or exercise by the mortgagee or lender of any right, power or remedy pursuant to the mortgage or the loan agreement.

(5) The consent by the Secretary to any of the foregoing.

(6) The furnishing by the lender or mortgagee to the Secretary, at the time of each advance under the loan or mortgage, of a statement, in duplicate, of the amount of the advance, the date of such advance, and the total amount advanced to date.

(7) The furnishing by the lender or mortgagee to the Secretary, at the time of each payment under the loan or mortgage, of a statement, in duplicate, of the payment made, including the amount applied to the payment of interest, the amount applied to the payment of principal, and the date of application, and

(8) The maintenance of the United States citizenship of the mortgagee,

shall be included in the mortgage or loan agreement, the commitment to insure, the contract of insurance and/or other documents in connection therewith, as may be appropriate. Each successor or assign of the mortgagor, mortgagee, borrower or lender, as the case may be, shall be subject to the eligibility requirements of the act and the regulations in this part and to the approval of the Secretary (except as to the latter, to the extent that advance approval may be provided in any of the aforementioned documents).

(c) *Assignment to Secretary.* In the event an assignment of the mortgage and of the obligations secured by the mortgage or of the loan agreement and the obligations evidencing the loan shall be tendered to the Secretary, the assignment shall be as prescribed or approved by the Secretary and annexed to the contract of insurance, the mortgage of the loan agreement, or the obligations secured by the mortgage or evidencing the loan, as the case may be, and shall be duly executed by or on behalf of the mortgagee or lender and proper evidence of such execution shall accompany the assignment. Such assignment shall include the assignment to the Secretary of all collateral or security for the mortgage or the obligations secured by the mortgage or the loan agreement or the obligations evidencing the loan, as the case may be, and all policies of insurance held by the mortgagee or lender pursuant to the mortgage or loan agreement, as the case may be.

(p) *Restriction on separate collateral.* Unless otherwise approved by the Secretary, the mortgagee or lender shall not at any time require or accept any collateral, security, note(s), obligation(s) or debt(s) in respect of an insured mortgage or loan except such as is subject to assignment to the Secretary upon demand for payment of insurance pursuant to the contract of insurance.

(q) *Interest in excess of 5 percent.* If the mortgage is to secure bonds, notes or other obligations bearing interest (exclusive of premium charges for insurance) at a rate in excess of 5 per centum

per annum on the amount of the unpaid principal, the mortgagor and mortgagee shall furnish the Secretary with evidence showing that in the particular area or under the special circumstances prevailing the mortgage or lending market demands it. The same requirement shall apply to loans with corresponding interest rates.

§ 298.9 *After assignment—(a) Rights of Secretary, mortgagee and mortgagor.* In the event the Secretary shall accept an assignment of a mortgage and the obligation or obligations secured by the mortgage, and any collateral or security therefor and policies of insurance held by the mortgagee pursuant to the mortgage upon the default of the mortgagor pursuant to section 1105 (a) (1) of the act and the contract of insurance—

(1) The Secretary shall have (in addition to such other rights or remedies, if any, as he may have) the right, in his discretion, to take any and all action authorized by sections 1105 (c) (1) and 1105 (d) of the act and, to the extent not in express conflict with the action authorized by said sections 1105 (c) (1) and 1105 (d), or with this section, any and all action provided for in or authorized or permitted by or in respect of the mortgage and the obligation or obligations secured by the mortgage, and any collateral or security therefor and policies of insurance maintained by the mortgagor pursuant to the mortgage (including all action provided for in or authorized or permitted by or in respect of any or all said documents by the mortgagee, by the Secretary, or by the Secretary as assignee of the mortgagee); and the interest of the Secretary as the insurer of the mortgage and as assignee of the mortgagee, including his interest for the purpose of asserting, pursuing or enforcing said rights and remedies, shall be as provided in paragraph (c) of this section;

(2) In the event of an actual or constructive total loss or an agreed or compromised total loss or a requisition of title to or use of the vessel or vessels (or any of them) or other property covered by the mortgage, all insurance or other payments therefor shall be paid to the Secretary and shall be applied by the Secretary in accordance with the interest of the Secretary as provided in paragraph (c) of this section and, if any balance remains, in accordance with the interest of the mortgagor (or other party in interest) as provided in paragraph (d) of this section;

(3) The Secretary shall have the right to pursue to final collection all claims arising under or in respect of the mortgage or the obligation or obligations secured thereby, or any collateral or security therefor or policies of insurance maintained by the mortgagor pursuant to the mortgage, against the mortgagor or other parties liable thereunder;

(4) The mortgagee shall have no further rights or remedies under or in respect of, or interest in, the mortgage or the obligation or obligations secured thereby, or any collateral or security therefor or policies of insurance maintained by the mortgagor pursuant to the mortgage, or the contract of insurance,

or the vessel or vessels or other property covered by the mortgage, or any cash, securities or other property which may at any time be collected, received, realized or held by or for the Secretary (or others) in respect thereof, but the mortgagee shall remain obligated to comply with the provisions of section 1105 (c) (1) of the act applicable to mortgagees; and

(5) The mortgagor (or other party in interest) shall have (in addition to such other rights or remedies, if any, as it may have) such rights as are provided for the mortgagor (or other party in interest) in sections 1105 (c) (1) and 1105 (d) of the act and, to the extent not in express conflict with said sections 1105 (c) (1) and 1105 (d), or with this section, in the mortgage and the obligation or obligations secured thereby, and any collateral or security therefor and policies of insurance maintained by the mortgagor pursuant to the mortgage; and the interest of the mortgagor (or other party in interest), including its interest for the purpose of asserting, pursuing or enforcing said rights and remedies, shall be as provided in paragraph (d) of this section: *Provided, however,* That the rights and interest of the mortgagor (or other party in interest) shall at all times be subordinate to, and not in derogation of, the rights and interest of the Secretary, and that all property purchased by the Secretary at foreclosure proceedings or other public sale shall be free of any rights or interest of the mortgagor (or other party in interest).

(b) *Rights of Secretary, lender and borrower.* In the event the Secretary shall accept an assignment of a loan agreement and the obligation or obligations evidencing a loan, and any collateral or security therefor and policies of insurance held by the lender pursuant to the loan agreement upon the default of the borrower pursuant to section 1105 (a) (2) of the act and the contract of insurance—

(1) The Secretary shall have (in addition to such other rights or remedies, if any, as he may have) the right, in his discretion, to take any and all action authorized by sections 1105 (c) (2) and 1105 (d) of the act and, to the extent not in express conflict with the action authorized by said sections 1105 (c) (2) and 1105 (d), or with this section, any and all action provided for in or authorized or permitted by or in respect of the loan agreement and the obligation or obligations evidencing the loan, and any collateral or security therefor and policies of insurance maintained by the borrower pursuant to the loan agreement (including all action provided for in or authorized or permitted by or in respect of any or all said documents by the lender, by the Secretary or by the Secretary as assignee of the lender); and the interest of the Secretary as the insurer of the loan and as assignee of the lender, including his interest for the purpose of asserting, pursuing or enforcing said rights and remedies, shall be as provided in paragraph (c) of this section;

(2) In the event of an actual or constructive total loss or an agreed or compromised total loss or a requisition of

title to or use of the vessel or vessels (or any of them) or other property in respect of which the loan is made, all insurance or other payments therefor shall be paid to the Secretary and shall be applied by the Secretary in accordance with the interest of the Secretary as provided in paragraph (c) of this section and, if any balance remains, in accordance with the interest of the borrower (or other party in interest) as provided in paragraph (d) of this section;

(3) The Secretary shall have the right to pursue to final collection all claims arising under or in respect of the loan agreement or the obligation or obligations evidencing the loan, or any collateral or security therefor or policies of insurance maintained by the borrower pursuant to the loan agreement, against the borrower or other parties liable thereunder;

(4) The lender shall have no further rights or remedies under or in respect of, or interest in, the loan agreement or the obligation or obligations evidencing the loan, or any collateral or security therefor or policies of insurance maintained by the borrower pursuant to the loan agreement, or the contract of insurance, or the vessel or vessels or other property in respect of which the loan is made, or any cash, securities or other property which may at any time be collected, received, realized or held by or for the Secretary (or others) in respect thereof, but the lender shall remain obligated to comply with the provisions of section 1105 (c) (2) of the act applicable to lenders; and

(5) The borrower (or other party in interest) shall have (in addition to such other rights or remedies, if any, as it may have) such rights as are provided for the borrower (or other party in interest) in sections 1105 (c) (2) and 1105 (d) of the act and, to the extent not in express conflict with said sections 1105 (c) (2) and 1105 (d), or with this section, in the loan agreement and the obligation or obligations evidencing the loan, and any collateral or security therefor and policies of insurance maintained by the borrower pursuant to the loan agreement; and the interest of the borrower (or other party in interest), including its interest for the purpose of asserting, pursuing or enforcing said rights and remedies, shall be as provided in paragraph (d) of this section: *Provided, however*, That the rights and interest of the borrower (or other party in interest) shall at all times be subordinate to, and not in derogation of, the rights and interest of the Secretary, and that all property purchased by the Secretary at foreclosure proceedings or other public sale shall be free of any rights or interest of the borrower (or other party in interest).

(c) *Interest of Secretary.* The interest of the Secretary as insurer of the mortgage or loan and as assignee of the mortgagee or lender, as the case may be (including his interest for the purpose of asserting, pursuing or enforcing any or all of the rights and remedies stated in paragraphs (a) (1), (2) and (3) and (b) (1), (2) and (3) of this section), in the mortgage or loan agreement and the

obligation or obligations secured by the mortgage or evidencing the loan, as the case may be, the collateral or security for the mortgage or loan agreement or the obligation or obligations secured by the mortgage or evidencing the loan, as the case may be, the policies of insurance maintained by the mortgagee or borrower pursuant to the mortgage or loan agreement, as the case may be, the vessel or vessels or other property covered by the mortgage or in respect of which the loan is made, as the case may be, and any cash, securities or other property (other than property purchased by the Secretary at foreclosure proceedings or other public sale and any payments or receipts for the requisition, sale, charter, operation or other use or disposition of any such property, all of which property, payments and receipts shall belong to and vest exclusively in the Secretary) which may at any time be collected, received, realized or held by or for the Secretary (or others) in respect thereof (including payments referred to in paragraphs (a) (2) and (b) (2) of this section), shall be an amount equal to the total of—

(1) The accrued and unpaid interest on and the unpaid balance of the principal of the mortgage and the obligation or obligations secured by the mortgage or the loan and the obligation or obligations evidencing the loan as of the date of the Secretary's acceptance of the assignment referred to in paragraph (a) or (b) of this section, as the case may be, together with all interest and other amounts which shall have become due and payable by the mortgagee or borrower on or under the mortgage or loan agreement (or loan), as the case may be, and/or the obligation or obligations secured by the mortgage or evidencing the loan, as the case may be, subsequent to said date,

(2) Premium charges, if any, due to the Secretary under the mortgage or loan agreement, as the case may be, including premium charges due to the Secretary as assignee of the mortgagee or lender, as the case may be, and

(3) The expenses (including administrative expenses) incurred and advances and disbursements made by the Secretary (or the United States) in the assertion, pursuit and/or enforcement of the rights and remedies, or any of them, stated in paragraph (a) or (b) of this section, as the case may be, and all other expenses (including administrative expenses) incurred and advances and disbursements made by the Secretary (or the United States) in connection with the vessel or vessels (or any of them) or other property (other than those incurred or made in respect of any vessel or vessels or other property purchased by the Secretary at foreclosure proceedings or other public sale, after the time of acquisition of title at such foreclosure proceedings or other public sale), or otherwise allocable thereto in amounts determined by the Secretary to be fair and reasonable,

after deducting therefrom all cash payments theretofore made to the Secretary on account of said items; and such interest shall be discharged and satisfied in

full before discharging and satisfying any interest of the mortgagee or borrower (or other party in interest).

(d) *Interest of mortgagee or borrower (or other party in interest).* The interest of the mortgagee or borrower (or other party in interest), including its interest for the purpose of asserting, pursuing or enforcing any or all of the rights stated in paragraphs (a) (5) and (b) (5) of this section, in the mortgage or loan agreement and the obligation or obligations secured by the mortgage or evidencing the loan, as the case may be, the collateral or security for the mortgage or loan agreement or the obligation or obligations secured by the mortgage or evidencing the loan, as the case may be, the policies of insurance maintained by the mortgagee or borrower pursuant to the mortgage or loan agreement, as the case may be, the vessel or vessels or other property covered by the mortgage or in respect of which the loan is made, as the case may be, and any cash, securities or other property (other than property purchased by the Secretary at foreclosure proceedings or other public sale and any payments or receipts for the requisition, sale, charter, operation or other use or disposition of any such property, all of which property, payments or receipts shall as stated above belong to and vest exclusively in the Secretary) which may at any time be collected, received, realized or held by or for the Secretary (or others) in respect thereof (including payments referred to in paragraphs (a) (2) and (b) (2) of this section), shall be a residual interest after full discharge and satisfaction of the interest of the Secretary as provided in paragraph (c) of this section, and the Secretary shall pay or otherwise account therefor to the mortgagee or borrower (or other party in interest) as he deems proper, but without liability for so doing.

§ 298.10 *Premium charges.*—(a) *Rates.* Premium charges for the insurance of mortgages and loans under Title XI of the act shall be payable at rates as fixed by the Secretary and as set forth in the respective commitments to insure and/or contracts of insurance. Such rates in the case of mortgages insured under section 1103 (a) and loans insured under section 1103 (b) shall be within the maximum and minimum rates prescribed by section 1104 (d) of the act. The maximum and minimum rates applicable to insurance of mortgages under section 1106 shall not be less than those for mortgages insured under section 1103 (a) of the act.

(b) *Computation.* Premium charges shall be computed on the average principal amount of the mortgage or loan to be outstanding during the annual period covered by said premium charges. In the case of a loan, the computation of average principal amount to be outstanding shall take into account all advances to be made under the loan during the annual period. In the case of a mortgage, the computation of average principal amount to be outstanding shall take into account all fixed payments required under the mortgage.

(c) *Reduction and increase.* Premium charges shall be subject to reduction for erroneous calculations, for advances overestimated, for voluntary prepayments made under the mortgage or the loan agreement, and for extraordinary payments made under the mortgage or the loan agreement, such as proceeds of insurance upon total loss applied in reduction of principal and additional payments contingent on earnings. Premium charges shall be subject to increase for erroneous calculations, for advances underestimated and for fixed payments required under the mortgage or the loan agreement which are delinquent.

(d) *Time of payment.* Premium charges shall be paid to the Secretary by the mortgagee or lender annually in advance, the first such premium charge to be paid at the time of the execution and delivery of the contract of insurance, and each subsequent premium charge to be paid on or before each succeeding anniversary date. In the event that the Secretary at any time determines that the amount of any premium charge is not correct, he shall promptly give notice thereof to the mortgagee or lender and mortgagor or borrower, as the case may be, specifying the correct amount, the basis of computation thereof, and the amount of the deficiency or excess. The mortgagee or lender, as the case may be, shall within thirty days after receipt of said notice pay or cause to be paid to the Secretary the amount of any deficiency. The Secretary shall promptly refund to the mortgagee or lender the amount of any excess.

(e) *Provisions for payment by mortgagor or borrower.* The mortgage or the loan agreement, as the case may be, shall provide (1) that the mortgagor or borrower shall pay to the mortgagee or lender the amount required for the payment of each premium charge at least sixty days before the payment of such charge of the Secretary is due (except for the first payment which shall be made not later than the time of execution and delivery of the contract of insurance and for any deficient premium charge which shall be paid not later than fifteen days before such payment is due by the mortgagee or lender to the Secretary), and (2) that the failure of the mortgagor or borrower to make such payment shall be a default under the mortgage or shall give the lender the right to mature the loan, as the case may be.

(f) *Provisions for payment by mortgagee or lender.* The contract of insurance shall require the mortgagee or lender to pay premium charges to the Secretary when due (subject to such period of grace as may be provided in the contract of insurance), but only to the extent received from the mortgagor or borrower.

(g) *Manner and place of payment.* Unless otherwise specified by the Secretary, all premium charges may be paid by check (which need not be certified) payable to "Maritime Adm.—Commerce", delivered in person or sent

through the mails to the Maritime Administration, Washington 25, D. C., accompanied by a letter stating that the payment is of a premium charge under the contract of insurance and specifying the period covered by the payment.

(h) *Premiums earned when paid.* Each premium charge shall be deemed to be fully earned when paid and no refund will be made by the Secretary of any premium charge paid in the event the insurance shall terminate: *Provided, however,* That if the insurance shall terminate by reason of payment in full of the obligation or obligations secured by the mortgage or evidencing the loan, or if the insurance shall terminate prior to any advance under the mortgage or loan, any premium charge paid shall be subject to reduction as provided in paragraph (c) of this section and refund as provided in paragraph (d) of this section.

§ 298.11 *Applicability of the regulations in this part—(a) Applicable generally; exceptions.* The regulations in this part shall be applicable to all applications for insurance, commitments to insure and contracts of insurance (except as to the latter where entered into pursuant to a prior commitment) made, issued or entered into after the effective date hereof, and all mortgages and loans covered thereby, except as may be otherwise required or approved by the Secretary and provided in said applications, commitments, contracts, mortgages and/or loans (including as to the latter, the loan agreements).

(b) *Prior regulations superseded.* The regulations in this part supersede Part 296 of this title and General Order No. 29 (as amended) dated April 13, 1939 (4 F. R. 1621) as of the effective date hereof, but shall not affect any commitment to insure or contract of insurance issued or entered into prior to said effective date, or any mortgage or loan covered thereby, including the provisions of any rules and regulations forming a part of or otherwise applicable to any such commitment, contract, mortgage or loan.

(c) *Future amendments.* The regulations in this part may be amended by the Secretary at any time. No such amendment shall affect any commitment to insure or contract of insurance theretofore issued or entered into or any mortgage or loan covered thereby, including the provisions of any rules and regulations forming a part of or otherwise applicable to any such commitment, contract, mortgage or loan, but all such amendments shall be effective as to any application for insurance, commitment to insure or contract of insurance (except as to the latter where entered into pursuant to a prior commitment) made, issued or entered into after the effective date thereof, and any mortgage or loan covered thereby, except as may be otherwise required or approved by the Secretary and provided in said application, commitment, contract, mortgage and/or loan (including as to the latter, the loan agreement).

(d) *Applicability to United States.* Nothing in the regulations in this part

shall be deemed to impose any obligation on the United States, the Secretary or the Administration in addition to those contained in Title XI of the act or other provisions of law or the contracts or commitments entered into under the authority of said Title XI.

Effective date. The regulations in this part shall be effective 30 days after publication in the FEDERAL REGISTER.

Dated: January 8, 1958.

CLARENCE G. MORSE,
Maritime Administrator.

[F. R. Doc. 58-494; Filed, Jan. 21, 1958;
8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

PART 205—REPORTS OF MOTOR CARRIERS MOTOR CARRIER ANNUAL REPORT FORM D¹

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 14th day of January 1958, A. D.

The matter of annual reports from Class I motor carriers of passengers being under further consideration and the changes to be effectuated by this order being minor changes resulting from the reclassification of motor carriers, rule-making procedures under section 4 (a) of the Administrative Procedure Act, 5 U. S. C. 1003 (a), being deemed unnecessary:

It is ordered, That § 205.1 of the order of December 10, 1956, in the matter of Motor Carrier Annual Report Form A, so far as it relates to annual reports of Class I motor carriers of passengers for the year ended December 31, 1957, and subsequent years, be vacated and set aside and that § 205.3a be substituted therefor, as shown below.

It is further ordered, That 49 CFR Part 205 be amended by adding thereto § 205.3a as follows:

§ 205.3a *Annual reports of Class I carriers of passengers.* Commencing with the year ended December 31, 1957, and for subsequent years thereafter, until further order, all Class I motor carriers of passengers, as defined in § 181.02-1 of this chapter, viz., carriers having gross operating revenues of \$200,000 or more annually from passenger motor carrier operations, are required to file annual reports in accordance with Motor Carrier Annual Report Form D (passenger) which is attached to¹ and made a part of this section. Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the year to which it relates.

And it is further ordered, That a copy of this order and of Motor Carrier Annual Report Form D (passenger) shall be served on all Class I motor carriers of

¹ Filed as part of the original document.

passengers and upon every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and that notice of this order shall be given to the general public by posting a copy thereof in the Office of the Secretary of the Commission in Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-483; Filed, Jan. 21, 1958;
8:49 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 27]

CANNED FRUITS AND CANNED FRUIT JUICES; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

FURTHER EXTENSION OF TIME FOR FILING VIEWS AND COMMENTS ON PROPOSAL TO ESTABLISH DEFINITIONS AND STANDARDS OF IDENTITY FOR CERTAIN TYPES OF FROZEN CONCENTRATES FOR LEMONADE

By a notice published in the FEDERAL REGISTER of December 13, 1957 (22 F. R. 10019), the time for filing views and comments upon the proposal to establish definitions and standard of identity for certain types of frozen concentrates for lemonade, which proposal was published in the FEDERAL REGISTER on June 29, 1957 (22 F. R. 4320), was extended to December 2, 1957.

The Commissioner of Food and Drugs has received a request for a further extension of time in this matter to permit the completion of taste-panel tests; and good cause therefor appearing: *It is ordered*, That the time for filing views and comments be further extended to February 7, 1958. This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended 70 Stat. 919, 21 U. S. C. 371), which authority was delegated to the Commissioner by the Secretary of Health, Education, and Welfare (22 F. R. 1045).

Dated: January 16, 1958.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 58-492; Filed, Jan. 21, 1958;
8:51 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 12268]

TELEVISION BROADCAST STATIONS, WALLA WALLA, WASH.

ORDER EXTENDING TIME FOR FILING COMMENTS

In the matter of amendment of § 3.606 *Table of assignments*, television broadcast stations (Walla Walla, Washington), Docket No. 12268.

1. The Commission has before it for consideration a petition filed January

15, 1958, by John M. Carroll, tr/as Umatilla Broadcasting Enterprises, licensee of standard broadcast Station KUBE, Pendleton, Oregon, requesting the Commission to extend the time for filing comments in the above-entitled proceeding from January 15, 1958, to February 15, 1958.

2. Petitioner alleges that it is interested in providing television service in the area affected by the instant proposal (to delete two VHF channels from Walla Walla, Washington) and is in the process of having engineering studies made with respect to coverage factors and technical requirements involved in bringing service to the area. Petitioner asserts that due to prior commitments, its consulting engineer has been unable to complete his work on this matter, and that additional time is needed to prepare and file comments.

3. The Commission is of the view that, while the requested extension of 30 days for filing comments would unduly delay the proceeding, petitioner has averred sufficient reasons to warrant an extension for 15 days. The Commission is of the view that the public interest, convenience and necessity would be served by extending the time for filing comments in this proceeding until January 30, 1958.

4. In view of the foregoing, *It is ordered*, That the petition of John M. Carroll, tr/as Umatilla Broadcasting Enterprises, is granted in part; that the time for filing comments in the above-entitled proceeding, is extended from January 15, 1958 to January 30, 1958; and that the time for filing reply comments is extended from January 25, 1958, to February 10, 1958.

Adopted: January 16, 1958.

Released: January 17, 1958.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-495; Filed, Jan. 21, 1958;
8:52 a.m.]

[47 CFR Part 3]

[Docket No. 12254]

TELEVISION BROADCAST STATIONS, MARINETTE-GREEN BAY, WIS.

ORDER EXTENDING TIME FOR FILING COMMENTS

In the matter of amendment of § 3.606, *Table of assignments*, television broad-

cast stations. (Marinette-Green Bay, Wisconsin), Docket No. 12254.

1. The Commission has before it for consideration a Motion filed January 14, 1958, by M & M Broadcasting Company, Inc., licensee of Station WMBV-TV, Marinette, Wisconsin, requesting the Commission to extend the time for filing comments in the above-entitled proceeding from January 20, 1958, to February 28, 1958.

2. In support of its request movant asserts that on January 8, 1958, an application was filed to transfer control of Station WMBV-TV from the existing stockholders of movant to certain other parties; that this application also reflects other subsidiary or ancillary agreements concerning proposed ownership of Station WMBV-TV; that in light of the recent filing of this application and its pendency before the Commission, movant now needs additional time for filing comments in the rule making proceeding in order that it may complete its restudy of the situation in light of changed circumstances.

3. Movant states that one of the two parties who has indicated interest in this proceeding, Norbertine Fathers, has consented to the grant of the instant Motion; that the other party, Valley Telecasting Company, while not consenting to a grant of the instant Motion, has nevertheless agreed to an early disposition of the Motion and to this extent has agreed to waive the requirements of § 1.730 of the Commission's rules.

4. The Commission is of the view that the public interest, convenience and necessity would be served by the extending the time for filing comments in this proceeding.

5. In view of the foregoing, *It is ordered*, That the Motion of M & M Broadcasting Company, Inc., is granted; the time for filing comments in the above-entitled proceeding, is extended, from January 20, 1958, to February 28, 1958, and the time for filing reply comments, is extended from January 30, 1958, to March 10, 1958.

Adopted: January 16, 1958.

Released: January 17, 1958.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-497; Filed, Jan. 21, 1958;
8:52 a.m.]

[47 CFR Part 4]

[Docket No. 12116]

OPERATION OF LOW POWER TELEVISION BROADCAST REPEATER STATIONS

ORDER EXTENDING TIME FOR FILING COMMENTS

In the matter of amendment of Part 4 of the Commission's Rules and Regulations to permit the operation of Low Power Television Broadcast Repeater Stations, Docket No. 12116.

The Commission has before it for consideration a petition filed January 10, 1958, by National Community Television

Association, Inc., requesting that the time for filing comments in the above-entitled proceeding be extended for a period of two days, or from January 15, 1958, to January 17, 1958.

Petitioner states that the requested postponement is occasioned by the fact that certain maps, charts and pictorial exhibits prepared by a consulting engineer in Missoula, Montana, for inclusion in petitioner's engineering report to accompany its comments were inadvertently shipped by railway express in lieu of air express; that the exhibits would therefore not reach Washington, D. C. before Monday, January 13, 1958; and that an additional two days will be re-

quired by a printer in Washington to print and bind all of petitioner's comments, including its engineering reports.

Petitioner asserts that a principal proponent of the service proposed in the above-entitled proceeding, Colorado Television Repeater Association, consents to the requested continuance.

The Commission is of the view that the public interest, convenience and necessity would be served by extending the time for filing comments and reply comments in the above-entitled proceeding.

In view of the foregoing, *It is ordered*, That the petition of National Community Television Association, Inc., is

granted; the time for filing comments in the above-entitled proceeding is extended from January 15, 1958, to January 17, 1958; and the time for filing reply comments in the said proceeding, is extended from February 14, 1958, to February 17, 1958.

Adopted: January 13, 1958.

Released: January 14, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 58-496; Filed, Jan. 21, 1958;
8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 57-54]

APPROVAL AND TERMINATION OF APPROVAL OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, United States Coast Guard. The procedures governing the granting of approvals and termination of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials specifications have been also prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order Nos. 120, dated July 31, 1950 (15 F. R. 6521), 167-14, dated November 26, 1954 (19 F. R. 8026), 167-20, dated June 18, 1956 (21 F. R. 4894), and CGFR 56-28, dated July 24, 1956 (21 F. R. 5659), and R. S. 4405, as amended, 4462, as amended, 4491, as amended, sections 1, 2, 49 Stat. 1544, as amended, section 17, 54 Stat. 166, as amended, and section 3, 54 Stat. 346, as amended, section 3, 70 Stat. 152 (46 U. S. C. 405, 416, 489, 367, 526p, 1333, 390b), and section 3 (c) of the act of August 9, 1954 (50 U. S. C. 198), and implementing regulations in 46 CFR Chapter I: *It is ordered*, That:

a. All the approvals listed in Part I of this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of five years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

b. All the other approvals listed in Part I of this document (which are not covered by paragraph a above) are pre-

scribed and shall be in effect for a period of five years from the date of publication of this document in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority; and

c. All the approvals listed in Part II of this document are terminated because (1) the manufacturer is no longer in business; or (2) the manufacturer does not desire to retain the approval; or (3) the item is no longer being manufactured; or (4) the item of equipment no longer complies with present Coast Guard requirements; or (5) the approval has expired. Except for those approvals which have expired, all other terminations of approvals made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval of any item of equipment as listed in Part II of this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

d. The Document CGFR 57-44 appearing in the FEDERAL REGISTER dated October 4, 1957 (22 F. R. 7907-7915), regarding approval and termination of approval of equipment or materials, shall be corrected as indicated below.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

GAS MASKS, SELF-CONTAINED BREATHING APPARATUS, AND SUPPLIED-AIR RESPIRATORS

Approval No. 160.011/7/0, Ammonia gas mask, Bureau of Mines Approval No. BM-1420, consisting of BM-1420 canister, BM-1418 canister harness, and BM-1418 facepiece with BM-1418 head harness or BM-1418A facepiece with BM-1418A head harness, manufactured by Acme Protection Equipment Co., 1201 Kalamazoo Street, South Haven, Mich. (Reinstatement of approval terminated in FEDERAL REGISTER October 4, 1957, effective July 31, 1957.)

Approval No. 160.011/16/0, Acme Type FD all-purpose gas mask, Bureau of Mines Approval No. BM-1436, consisting of BM-1436 canister, BM-1435 timer, BM-1435 canister harness, and BM-1418 facepiece with BM-1418 head harness

or BM-1418A facepiece with BM-1418A head harness, manufactured by Acme Protection Equipment Co., 1201 Kalamazoo Street, South Haven, Mich. (Reinstatement of approval terminated in FEDERAL REGISTER October 4, 1957, effective July 31, 1957.)

Approval No. 160.011/26/0, Type WIG-G4 Ammonia Gas Mask, Bureau of Mines Approval No. BM-1454 consisting of BM-1454 canister, BM-1423 facepiece, and BM-1423 canister harness, manufactured by Willson Products Division Ray-O-Vac Co., Reading, Pa.

COMPASSES, LIFEBOAT

Approval No. 160.014/7/0, Model 34-1000, compensating mariners liquid filled magnetic lifeboat compass with mounting, assembly dwg. No. 34-1000, dated January 22, 1946, manufactured by Kenyon Instrument Co., Inc., Brewster, N. Y. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective September 30, 1957.)

WINCHES, LIFEBOAT

Approval No. 160.015/23/2, Type B135 lifeboat winch, approval is limited to mechanical components and for a maximum working load of 13,500 pounds pull at the drums (6,750 pounds per fall), identified by general arrangement dwg. No. 2105-6 dated April 13, 1956, and revised September 25, 1957, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.015/23/1 terminated in FEDERAL REGISTER August 3, 1957.)

Approval No. 160.015/50/2, Type HM lifeboat winch for use with mechanical davits, fitted with wire rope not more than 1/2-inch in diameter and with not more than 7 wraps of the falls on the drums, approval is limited to mechanical components and for a maximum working load of 6,600 pounds pull at the drums (3,300 pounds per fall), identified by left hand assembly dwg. No. L-22000-E4 dated April 22, 1957, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.015/50/1 published in FEDERAL REGISTER March 25, 1954.)

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

Approval No. 160.017/28/0, Model P-1006-A, Type I embarkation-debarkation ladder, rope suspension, steel ears, The Marine Ladder Mfg. Co. dwg. No. LC-106, Rev. 3, dated August 12, 1957, manufactured by Don D. Fleming Co., Inc., 460 Bay Street, San Francisco 11, Calif.

SIGNALS, DISTRESS, FLOATING ORANGE SMOKE

Approval No. 160.022/8/0, Kilgore Model K-5A floating orange smoke distress signal, assembly dwg. No. GXC-413, Rev. 3, dated November 15, 1956, manufactured by Kilgore, Inc., International Flare-Signal Division, Westerville, Ohio.

SIGNALS, DISTRESS, COMBINATION FLARE AND SMOKE, HAND

Approval No. 160.023/1/0, A-P Day-nite hand combination flare and smoke distress signal, arrangement dwg. No. 4500-AR, Rev. No. 3, dated June 17, 1946, manufactured by Aerial Products, Inc., Elkton, Md. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 1, 1957.)

SIGNALS, DISTRESS, PISTOL-PROJECTED PARA- CHUTE RED FLARE

Approval No. 160.024/5/0, aluminum shell parachute red flare cartridge distress signal, assembly dwg. No. A-3530, dated January 17, 1947, manufactured by Signal Pyrotechnic Co., 4041 White-side Street, Los Angeles 63, Calif. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective August 27, 1957.)

NOZZLES, WATER SPRAY (ONE AND ONE-HALF-INCH TYPE)

Approval No. 160.025/10/0, Model A nonadjustable, 1½-inch fixed type, water spray nozzle, dwg. No. 1, dated March 4, 1938, manufactured by Sculler Safety Corp., 30 Front Street, New York 4, N. Y. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective September 26, 1957.)

CONTAINERS, EMERGENCY PROVISIONS AND WATER

Approval No. 160.026/8/1, Container for emergency drinking water, dwg. No. S1-117, dated August 23, 1951, Rev. 5, dated August 19, 1952, manufactured by The Multiple Breaker Co., 176 Oak Street, Newton 64, Mass. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 160.026/12/3, Container for emergency provisions, dwg. No. 204-P, dated October 22, 1957, and specification 204-S-1, dated October 22, 1957, manufactured by Globe Equipment Corp., 257 Water Street, Brooklyn 1, N. Y. (Supersedes Approval No. 160.026/12/2 published in FEDERAL REGISTER December 4, 1956.)

Approval No. 160.026/18/1, Container for emergency drinking water, dwg. No. B-104, dated September 17, 1952, manufactured by H. & M. Packing Corp., 913 Ruberta Avenue, Glendale 1, Calif. (Extension of the approval published in

FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 160.026/27/1, Container for emergency drinking water, Globe Equipment Corp. dwg. No. 1313, dated November 1, 1956, packed by Lord-Mott Co., Foot of Fell Street, Baltimore 3, Md., for Globe Equipment Corp., 257 Water Street, Brooklyn 1, N. Y. (Supersedes Approval No. 160.026/27/0 published in FEDERAL REGISTER January 30, 1957.)

DAVITS, LIFEBOAT

Approval No. 160.032/157/0, gravity davit, Type G-90-S, approved for maximum working load of 18,000 pounds per set (9,000 pounds per arm), using two part falls, for use on M/V "Howard C. Cole Jr." only, identified by boat stowage dwg. No. 3670, revision A dated December 21, 1956, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

MECHANICAL DISENGAGING APPARATUS, LIFEBOAT

Approval No. 160.033/39/2, Rottmer type S-1 releasing gear, approved for maximum working load of 21,300 pounds per set (10,650 pounds per hook), identified by hoist gear assembly dwg. No. M-115-1, Rev. A, dated September 9, 1957, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Reinstates and supersedes Approval No. 160.033/39/1 terminated in FEDERAL REGISTER November 1, 1957.)

HAND-PROPELLING GEAR, LIFEBOAT

Approval No. 160.034/15/0, Type WSG-1, hand-propelling gear identified by general arrangement dwg. No. 80139 dated April 29, 1957, and revised July 10, 1957, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

LIFEBOATS

Approval No. 160.035/97/3, 22.0' x 7.5' x 3.17' steel, motor-propelled lifeboat without radio cabin (Class B), 25-person capacity, identified by general arrangement and construction dwg. No. 49R-2219C dated March 22, 1954, and revised March 29, 1957, manufactured by Lane Lifeboat & Davit Corp., 8920 26th Avenue, Brooklyn 14, N. Y. (Supersedes Approval No. 160.035/97/2 published in FEDERAL REGISTER December 4, 1956.)

Approval No. 160.035/174/2, 22' x 7.5' x 3.17' steel, motor-propelled lifeboat without radio cabin (Class B), 28-person capacity, identified by construction and arrangement dwg. No. 22-2B dated September 18, 1947, and revised May 16, 1956, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Reinstates and supersedes Approval No. 160.035/174/1 terminated in FEDERAL REGISTER December 4, 1956.)

Approval No. 160.035/191/2, 28.0' x 9.79' x 4.13' steel, hand-propelled lifeboat, 68-person capacity, identified by construction and arrangement dwg. No. 3199 dated Aug. 1, 1952, revised September 25, 1957, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Supersedes Approval No.

160.035/191/1 published in FEDERAL REGISTER November 22, 1952.)

Approval No. 160.035/276/1, 26.0' x 7.88' x 3.35' aluminum, oar-propelled lifeboat, 41-person capacity, identified by general arrangement dwg. No. 3359 dated June 28, 1951, and revised August 15, 1957, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.035/276/0 terminated in FEDERAL REGISTER May 29, 1957.)

Approval No. 160.035/310/0, 28.0' x 9.0' x 3.96' steel, hand-propelled lifeboat, 61-person capacity, identified by construction and arrangement dwg. No. 28-1C dated May 8, 1953, revised November 29, 1957, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

Approval No. 160.035/374/0, 14.0' x 5.0' x 2.17' aluminum, oar-propelled lifeboat, 9-person capacity, identified by construction and arrangement dwg. No. 3685 dated August 22, 1957, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

LINE-THROWING APPLIANCE, IMPULSE-PRO- JECTED ROCKET TYPE (AND EQUIPMENT)

Approval No. 160.040/1/3, Kilgore Line-Throwing Appliance Model GR 53 CK, impulse-projected rocket type line-throwing appliance, assembly dwg. No. KM1911, Rev. 6 dated October 22, 1953, pistol and adapter assembly dwg. No. KM1912, Rev. 8 dated December 13, 1956, manufactured by Kilgore, Inc., International Flare Signal Division, Westerville, Ohio. (Supersedes Approval No. 160-040/1/2 published in FEDERAL REGISTER February 18, 1953.)

PUMPS, BILGE, LIFEBOAT

Approval No. 160.044/4/0, Size No. 2 lifeboat bilge pump, identified by general assembly dwg. No. 222-A dated August 24, 1944, manufactured by Allied Marine Equipment, Division of Tap-Rite Products Corp., 204 Railroad Avenue, Hackensack, N. J. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

BUOYANT VESTS, KAPOK OR FIBROUS CLASS, ADULT AND CHILD MODELS AK, CKM, CKS, AF, CFM, AND CFS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/150/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Robey Manufacturing Co., Newaygo, Mich.

Approval No. 160.047/151/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Robey Manufacturing Co., Newaygo, Mich.

Approval No. 160.047/152/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Robey Manufacturing Co., Newaygo, Mich.

Approval No. 160.047/153/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufac-

tured by Elvin Salow Co., 273-285 Congress Street, Boston 10, Mass., for Marine Hardware & Supply Co., 390 Atlantic Avenue, Boston 10, Mass.

Approval No. 160.047/154/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Elvin Salow Co., 273-285 Congress Street, Boston 10, Mass., for Marine Hardware & Supply Co., 390 Atlantic Avenue, Boston 10, Mass.

Approval No. 160.047/155/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Elvin Salow Co., 273-285 Congress Street, Boston 10, Mass., for Marine Hardware & Supply Co., 390 Atlantic Avenue, Boston 10, Mass.

Approval No. 160.047/156/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Sav-A-Life Industries, Inc., Division of Land-O-Nod Co., 925 Northeast Broadway, Minneapolis 13, Minn.

Approval No. 160.047/157/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Sav-A-Life Industries, Inc., Division of Land-O-Nod Co., 925 Northeast Broadway, Minneapolis 13, Minn.

Approval No. 160.047/158/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Sav-A-Life Industries, Inc., Division of Land-O-Nod Co., 925 Northeast Broadway, Minneapolis 13, Minn.

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

Note: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/106/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by Elvin Salow Co., 273-285 Congress Street, Boston 10, Mass., for Marine Hardware & Supply Co., 390 Atlantic Avenue, Boston 10, Mass.

Approval No. 160.048/107/0, group approval for rectangular or trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4 (c) (1) (i), manufactured by Sav-A-Life Industries, Inc., Division of Land-O-Nod Co., 925 Northeast Broadway, Minneapolis 13, Minn.

Approval No. 160.048/108/0, special approval for 13" x 18" x 2" rectangular ribbed-type kapok buoyant cushion, 21 oz. kapok, dwg. No. 1, dated October 3, 1957, manufactured by Sav-A-Life Industries, Inc., Division of Land-O-Nod Co., 925 Northeast Broadway, Minneapolis 13, Minn.

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

Note: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/17/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U. S. C. G. Specification Subpart 160.049, sizes to be as per Table 160.049-4

(c) (1), manufactured by Trimco, Holiday Harbor, Celeron, N. Y.

Approval No. 160.049/18/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U. S. C. G. Specification Subpart 160.049, sizes to be as per Table 160.049-4 (c) (1), manufactured by Billy Boy Products, Inc., Quincy, Mich.

VALVES, SAFETY (POWER BOILERS)

Approval No. 162.001/183/0, Type 1531-P1, Consolidated drum pilot actuator pop safety valve, maximum pressure 1,050 p. s. i., maximum temperature 1,000° F., dwg. No. 3VN953, dated August 13, 1952, approved for 1½" and 2" sizes, bore diameter 1½", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.001/185/0, Type 1531-U1, Consolidated superheater unloader safety valve, maximum pressure 1,000 p. s. i., maximum temperature 1,000° F., dwg. No. 3VM953, dated September 4, 1952, approved for 2 and 2½-inch sizes, bore diameter 1½ inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.001/186/0, Type 1531-U2, Consolidated superheater unloader safety valve, maximum pressure 1,000 p. s. i., maximum temperature 1,000° F., dwg. No. 3VM953, dated September 4, 1952, approved for 2 and 2½-inch sizes, bore diameter 1½ inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.001/187/0, Type 1531-U3, Consolidated superheater unloader safety valve, maximum pressure 600 p. s. i., maximum temperature 1,000° F., dwg. No. 3VN953, dated September 4, 1952, approved for 2½-inch size, bore diameter 1¾ inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.001/188/0, Type 1531-U4, Consolidated superheater unloader safety valve, maximum pressure 600 p. s. i., maximum temperature 1,000° F., dwg. No. 3VM953, dated September 4, 1952, approved for 2½-inch size, bore diameter 2 inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Approval No. 162.005/37/0, Gapeco Model SRH-15, 15-pound carbon dioxide type hand portable fire extinguisher, assembly dwg. dated September 8, 1950, no revision, name plate dwg. No. GA-99-08 dated June 8, 1949, no revision (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by General Air Products Corp., 5345 North Kedzie Avenue, Chicago 25, Ill. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

sion of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.005/38/0, Gapeco Model SRH-10, 10-pound carbon dioxide type hand portable fire extinguisher, assembly dwg. dated September 8, 1950, no revision, name plate dwg. No. GA-99-08 dated June 8, 1949, no revision (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by General Air Products Corp., 5345 North Kedzie Avenue, Chicago 25, Ill. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.005/39/0, Gapeco Model SRQ-5, 5-pound carbon dioxide type hand portable fire extinguisher, assembly dwg. dated September 8, 1950, no revision, name plate dwg. No. GA-99-07 dated June 7, 1949, no revision (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by General Air Products Corp., 5345 North Kedzie Avenue, Chicago 25, Ill. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.005/74/0, Fire Chex Model CO-5 Swivel Type, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. CO-15-A revised August 2, 1957, name plate dwg. No. CO-5-3, Rev. 3 dated August 30, 1953 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Fire Master Corp., 36100 Harper Avenue, Mt. Clemens, Mich.

Approval No. 162.005/76/0, Fire Chex Model CO-15 Lever Type, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. CO-15-A revised August 2, 1957, name plate dwg. No. CO-15-3A dated September 2, 1953 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Fire Master Corp., 36100 Harper Avenue, Mt. Clemens, Mich.

FIRE EXTINGUISHER, PORTABLE, HAND, CHEMICAL FOAM TYPE

Approval No. 162.006/10/0, Badger, 2½-gallon foam hand portable fire extinguisher, assembly dwg. Nos. BD 1895, dated June 19, 1947, and SK 1053A, dated March 26, 1946, name plate dwg. No. BD 1922, dated August 27, 1947, revised October 2, 1952 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by the Badger Fire Extinguisher Co., Methuen, Mass. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective September 30, 1957.)

Approval No. 162.006/32/1, Fyr-Fyter Model No. 18-24C.G. (formerly 18-26), 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 18-24C.G., Rev. B dated April 19, 1957, name plate dwg. No. 4708-C.G. revised April 19, 1957 (Coast Guard classification: Type A, Size II; and Type C, Size II), manufactured by Fyr-Fyter Division of The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.006/32/0 published in FEDERAL REGISTER April 1, 1955.)

Approval No. 162.006/33/1, Buffalo Model No. 18-25C.G. (formerly 18-27), 2½-gal. chemical foam type hand portable

table fire extinguisher, assembly dwg. No. 18-25C.G., Rev. B dated April 19, 1957, name plate dwg. No. 4709-C.G. revised April 19, 1957 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Supersedes Approval No. 162.006/33/0 published in FEDERAL REGISTER April 1, 1955.)

Approval No. 162.006/37/1, Fyr-Fyter Model No. 18-4C.G. (formerly 18-12), 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 18-4C.G., Rev. B dated April 19, 1957, name plate dwg. No. 3567-C.G. revised April 19, 1957 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by Fyr-Fyter Division of The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.006/37/0 published in FEDERAL REGISTER April 1, 1955.)

Approval No. 162.006/38/1, Buffalo Model No. 18-5C.G. (formerly 18-14), 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 18-5C.G., Rev. B dated April 19, 1957, name plate dwg. No. 4760-C.G. revised April 19, 1957 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Supersedes Approval No. 162.006/38/0 published in FEDERAL REGISTER April 1, 1955.)

FIRE EXTINGUISHERS, PORTABLE, HAND, SODA-ACID TYPE

Approval No. 162.007/24/0, Badger's Pony 1¼-gallon soda-acid hand portable fire extinguisher, assembly dwg. No. SK 284, dated May 1, 1924, name plate dwg. No. SK 258 dated May 1, 1924, rev. August 27, 1947 (Coast Guard classification: Type A, Size I), manufactured by the Badger Fire Extinguisher Co., Methuen, Mass. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective September 30, 1957.)

Approval No. 162.007/25/0, Badger's 2½-gallon soda-acid hand portable fire extinguisher, assembly dwg. Nos. BD 1889, dated March 25, 1947, and SK 1034, dated May 23, 1932, revised March 9, 1937, name plate dwg. No. BD 1921, dated August 26, 1947, revised Oct. 2, 1952 (Coast Guard classification: Type A, Size II), manufactured by the Badger Fire Extinguisher Co., Methuen, Mass. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective September 30, 1957.)

FIRE EXTINGUISHERS, PORTABLE, HAND, DRY-CHEMICAL TYPE

Approval No. 162.010/13/1, Ansul M-4-B, 4-pound dry chemical pressure-cartridge operated type hand portable fire extinguisher, assembly dwg. No. DS-2218 dated June 21, 1951, no revision, shell assembly dwg. No. 2219, Rev. 2 dated April 23, 1952, name plate dwg. No. DS-2217, dated June 21, 1951, no revision (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Ansul Chemical Co., Marinette, Wis. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.010/32/0, Safety First Model STM-4, 4-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. C-1600 dated August 13, 1956, name plate dwg. No. A-1910 dated October 11, 1956 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N. Y.

Approval No. 162.010/33/0, Safety First Model STM-10, 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. C-1900 dated January 10, 1953, name plate dwg. No. A-1910 dated October 11, 1956 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N. Y.

Approval No. 162.010/34/0, Safety First Model STM-15-A, 15-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. C-4000 dated June 7, 1952, name plate dwg. No. A-4065 dated October 4, 1956 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N. Y.

Approval No. 162.010/35/0, Safety First Model STM-20, 20-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. C-4000 dated June 7, 1952, name plate dwg. No. A-4065 dated October 4, 1956 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N. Y.

Approval No. 162.010/43/0, Safety First Model STM-5, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. C-1400 dated December 12, 1953, name plate dwg. No. A-1910 dated October 11, 1956 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N. Y.

VALVES, RELIEF (HOT WATER HEATING BOILERS)

Approval No. 162.013/13/0, Type No. 2230CG, multiple relief valve assembly for hot water heating boilers, two (2) ¾-inch No. 230-30 relief valves mounted on common base, maximum set pressure 30 p. s. i., combined relieving capacity 606,000 B. t. u. per hour, dwg. No. 2230CG assembly, dated September 16, 1952, base inlet size 1½-inch nominal pipe diameter, manufactured by McDonnell & Miller, Inc., 3500 North Spaulding Avenue, Chicago 18, Ill. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

Approval No. 162.013/14/0, Type No. 3230CG, multiple relief valve assembly for hot water heating boilers, three (3) ¾-inch No. 230-30 relief valves mounted on common base, maximum set pressure 30 p. s. i., combined relieving capacity 909,000 B. t. u. per hour, dwg. No. 3230CG assembly, dated September 16, 1952, base inlet size 1½-inch nominal pipe diameter, manufactured by McDonnell & Miller, Inc., 3500 North Spaulding Ave-

nue, Chicago 18, Ill. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective November 22, 1957.)

INDICATORS, BOILER WATER LEVEL, SECONDARY TYPE

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 400 p. s. i. maximum pressure, dwg. No. D-6610-4 dated February 19, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/41/1	E400
162.025/42/1	E400-A
162.025/43/1	E400-B
162.025/44/1	E400-C

(Supersedes Approval Nos. 162.025/41/0 through 162.025/44/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 400 p. s. i. maximum pressure, dwg. No. D-6611-4 dated February 22, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/45/1	E401
162.025/46/1	E401-A
162.025/47/1	E401-B
162.025/48/1	E401-C

(Supersedes Approval Nos. 162.025/45/0 through 162.025/48/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 600 p. s. i. maximum pressure, dwg. No. 6612-4 dated February 10, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/49/1	E600
162.025/50/1	E600-A
162.025/51/1	E600-B
162.025/52/1	E600-C

(Supersedes Approval Nos. 162.025/49/0 through 162.025/52/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 600 p. s. i. maximum pressure, dwg. No. 6613-5 dated February 12, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/53/1	E601
162.025/54/1	E601-A
162.025/55/1	E601-B
162.025/56/1	E601-C

(Supersedes Approval Nos. 162.025/53/0 through 162.025/56/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 900 p. s. i. maximum pressure, dwg. No. 6614-4 dated February 14, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/57/1	E900
162.025/58/1	E900-A
162.025/59/1	E900-B

(Supersedes Approval Nos. 162.025/57/0 through 162.025/59/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 900 p. s. i. maximum pressure, dwg. No. 6615-5 dated February 18, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following Model numbers:

Approval No.:	Model No.
162.025/60/1	E901
162.025/61/1	E901-A
162.025/62/1	E901-B

(Supersedes Approval Nos. 162.025/60/0 through 162.025/62/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 1,500 p. s. i. maximum pressure, dwg. No. B-6617-3 dated February 25, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/66/1	E1501
162.025/67/1	E1501-A
162.025/68/1	E1501-B

(Supersedes Approval Nos. 162.025/66/0 through 162.025/68/0 published in FEDERAL REGISTER March 25, 1954.)

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 2,500 p. s. i. maximum pressure, dwg. No. B-8402 dated March 6, 1957, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/77/0	E2500
162.025/78/0	E2500A
162.025/79/0	E2500B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 2,500 p. s. i. maximum pressure, dwg. No. B-8403 dated October 25, 1956, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/80/0	E2501
162.025/81/0	E2501A
162.025/82/0	E2501B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 600 p. s. i. maximum pressure, dwg. No. A-8313 dated May 7, 1956, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/83/0	E601-EA9RM High & Low Alarm
162.025/84/0	E601A-EA9RM High & Low Alarm
162.025/85/0	E601B-EA9RM High & Low Alarm
162.025/86/0	E601C-EA9RM High & Low Alarm

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 900 p. s. i. maximum pressure, dwg. No. A-7940 dated May 11, 1954, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/87/0	E901-EA9RM High & Low Alarm
162.025/88/0	E901A-EA9RM High & Low Alarm
162.025/89/0	E901B-EA9RM High & Low Alarm

DECK COVERINGS

Approval No. 164.006/3/1, Asbestolith magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG-3610-1214; FR 1778 dated July 2, 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 1½-inch thickness, manufactured by Asbestolith Manufacturing Corp., 257 Kent Street, Brooklyn 22, N. Y. (Extension of the approval published in FEDERAL REGISTER November 22, 1952, effective September 30, 1957.)

Approval No. 164.006/41/0, "Plastic-Stone", magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG10210-1840:FP3139, dated May 20, 1952, approved for use without other insulating material to meet Class A-60 requirements in a 2-inch thickness, manufactured by E. A. Mortrud & Co., 8701 15th Avenue NW., Seattle 7, Wash. (Reinstatement of approval terminated in FEDERAL REGISTER August 31, 1957, effective July 17, 1957.)

BULKHEAD PANELS

Approval No. 164.008/35/0, "Asahi Marillite PH", inorganic composition board type bulkhead panel identical to that described in National Bureau of Standards Projects No. 1002-30-4874, Report No. 5448, Test No. 394, dated August 27, 1957, approved as meeting Class B-15 requirements in a ¾-inch thickness, manufactured by Asahi Asbestos Co., Ltd., 3, 7-Chome Ginza, Chuoku, Tokyo, Japan.

Approval No. 164.008/37/0, "Asahi Marillite P-1", inorganic composition board type bulkhead panel identical to that described in National Bureau of Standards Project No. 1002-30-4874, Report No. 5448, Test No. 394, dated August 27, 1957, approved as meeting Class B-15 requirements in a ¾-inch thickness, manufactured by Asahi Asbestos Co., Ltd., 3, 7-Chome Ginza, Chuoku, Tokyo, Japan.

PART II—TERMINATIONS OF APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

LIFEBOATS

Termination of Approval No. 160.035/21/1, 24.0' x 7.75' x 3.33' steel, oar-propelled lifeboat, 37-person capacity, identified by general arrangement dwg. No. G-2437 dated April 11, 1952, and revised August 2, 1952, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Approved FEDERAL REGISTER

November 22, 1952. Termination of approval effective November 22, 1957.)

Termination of Approval No. 160.035/88/1, 14.0' x 5.4' x 2.3' steel, oar-propelled square stern lifeboat, 10-person capacity identified by general arrangement and construction dwg. No. 49R-1411 dated February 14, 1951, and revised June 10, 1952, manufactured by Lane Lifeboat & Davit Corp., 8920 26th Avenue, Brooklyn 14, N. Y. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

Termination of Approval No. 160.035/286/0, 24.0' x 8.0' x 3.5' steel, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement dwg. No. 24-9, dated October 30, 1951, and revised July 16, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

Termination of Approval No. 160.035/347/0, 28.0' x 9.79' x 4.13' aluminum, motor-propelled lifeboat without radio cabin (Class B), 60-person capacity, identified by construction and arrangement dwg. No. 28-8 dated October 19, 1955, and revised January 10, 1957, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER April 10, 1957.)

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD MODELS AK, CKM, CKS, AF, CFM, AND CFS

Termination of Approval No. 160.047/141/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 145-92 228th Street, Springfield Gardens 13, N. Y., for Gem Mfg. Co., 1 Roosevelt Avenue, Clifton, N. J. (Approved FEDERAL REGISTER November 1, 1957.)

Termination of Approval No. 160.047/142/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 145-92 228th Street, Springfield Gardens 13, N. Y., for Gem Mfg. Co., 1 Roosevelt Avenue, Clifton, N. J. (Approved FEDERAL REGISTER November 1, 1957.)

Termination of Approval No. 160.047/143/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 145-92 228th Street, Springfield Gardens 13, N. Y., for Gem Mfg. Co., 1 Roosevelt Avenue, Clifton, N. J. (Approved FEDERAL REGISTER November 1, 1957.)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

Termination of Approval No. 160.048/101/0, special approval for 15' x 15' x 2' rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by Swan Products Co., Inc., 145-92 228th Street, Springfield Gardens 13, N. Y., for Gem Mfg. Co., 1 Roosevelt Avenue, Clifton, N. J. (Approved FEDERAL REGISTER November 1, 1957.)

BOILERS, HEATING

Termination of Approval No. 162.003/141/0, C-600W hot water heating boiler, horizontal fire tube type, dwg. No. F-6521-A, Revision A dated September 5, 1952, design pressure 30 p. s. i., approval limited to bare boiler, manufactured by Cyclotherm Division, U. S. Radiator Corp., Oswego, N. Y. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Termination of Approval No. 162.005/2/1, Alfite Speedex 15, 15-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 28X-1576, Alt. J dated July 15, 1949, name plate dwg. No. 28X-844, Rev. M1 dated March 26, 1951, manufactured by American LaFrance Corporation, Elmira, N. Y. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

FIRE EXTINGUISHERS, PORTABLE, HAND, DRY-CHEMICAL TYPE

Termination of Approval No. 162.010/3/2, Ansul M-4-A, 4-pound dry chemical pressure-cartridge operated type hand portable fire extinguisher, assembly dwg. No. DS-1785 dated September 27, 1950, no revision, shell assembly dwg. No. 1779, Rev. 2 dated April 23, 1952, name plate dwg. No. 1780, Rev. 1 dated July 30, 1951, manufactured by Ansul Chemical Co., Marinette, Wis. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

Termination of Approval No. 162.010/4/1, Alfco Model 5P1-30M (Marine Type) 25-pound dry chemical type hand portable fire extinguisher, assembly dwg. No. 33X-1011, Alt. K dated February 29, 1952, instruction panel dwg. No. 33X-158 dated February 29, 1952, no revision, manufactured by American LaFrance Corporation, Elmira, N. Y. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

VALVES, RELIEF (HOT WATER HEATING BOILERS)

Termination of Approval No. 162.013/15/0, No. 74 relief valve for hot water heating boiler, 3/4-inch inlet size, relieving capacity 480,000 B. t. u. per hour at maximum set pressure of 30 p. s. i., dwg. No. 74-174 PD, dated October 7, 1952, manufactured by Watts Regulator Co., Lawrence, Mass. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

Termination of Approval No. 162.013/16/0, No. 174 relief valve for hot water heating boiler, maximum set pressure 30 p. s. i., dwg. No. 74-174 PD, dated October 7, 1952, approved for following sizes and relieving capacities:

Inlet size (Inches):	Relieving capacity (B. t. u./hr. at 30 p. s. i.)
3/4	441,000
1	716,400

Inlet size (Inches):	Relieving capacity (B. t. u./hr. at 30 p. s. i.)
1 1/4	1,065,600
1 1/2	1,395,000
2	2,528,100

manufactured by Watts Regulator Co., Lawrence, Mass. (Approved FEDERAL REGISTER November 22, 1952. Termination of approval effective November 22, 1957.)

INDICATORS, BOILER WATER LEVEL, SECONDARY TYPE

Termination of approval of Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 2,500 p. s. i. maximum pressure, dwg. No. B-6618-3 dated March 2, 1949, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, for the following model numbers:

Approval No.:	Model No.
162.025/69/0	E2000
162.025/70/0	E2000-A
162.025/71/0	E2000-B

(Approved FEDERAL REGISTER March 25, 1954.)

Termination of approval of Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 2,500 p. s. i. maximum pressure, dwg. No. 6619-3 dated February 24, 1949, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/72/0	E2001
162.025/73/0	E2001-A
162.025/74/0	E2001-B

(Approved FEDERAL REGISTER March 25, 1954.)

CORRECTION TO PRIOR DOCUMENT

The Coast Guard Document CGFR 57-44 and Federal Register Document 57-8165 published in the FEDERAL REGISTER of October 4, 1957 (22 F. R. 7908), is corrected by substituting the words "24-inch Balsa Wood Ring Life Buoy" in lieu of "30-inch Cork Ring Life Buoy" for Approval No. 160.009/14/0 under the heading "Buoys, Life, Ring, Cork or Balsa Wood."

Dated: January 14, 1958.

[SEAL] A. C. RICHMOND,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 58-485; Filed, Jan. 21, 1958; 8:50 a. m.]

DEPARTMENT OF DEFENSE

Department of the Army

RALPH M. BESSE

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of January 5, 1958, in my financial interests as reported in my financial statement as of July 2, 1957,

executed in connection with my appointment effective July 5, 1957, as reported in the FEDERAL REGISTER of July 26, 1957, 22 F. R. 5937.

A. Deletions: Bank of America—stockholder; Massachusetts Investment Trust—stockholder; Producing Property Debentures; Steel Improvement & Forge Co.—stockholder; U. S. Gypsum Co.—stockholder.
B. Additions: American Vitriified Products—stockholder; Middle South Utilities—stockholder.

Dated: January 4, 1958.

RALPH M. BESSE.

[F. R. Doc. 58-461; Filed, Jan. 21, 1958; 8:45 a. m.]

EDWIN M. CLARK

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of January 1, 1958, in my financial interests since the date of my appointment July 1, 1957, as reported in the FEDERAL REGISTER of August 6, 1957, 22 F. R. 6280.

A. Deletions: St. Joseph Lead Company.
B. Additions: General Motors; American Zinc, Lead & Smelting; Bethlehem Steel.

Dated: January 1, 1958.

EDWIN M. CLARK.

[F. R. Doc. 58-462; Filed, Jan. 21, 1958; 8:45 a. m.]

BENJAMIN B. MATHIS

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of January 1, 1958, in my financial interests as reported in the FEDERAL REGISTER of July 26, 1957, 22 F. R. 5936.

A. Deletions: None.
B. Additions: None.

Dated: January 1, 1958.

BENJAMIN B. MATHIS.

[F. R. Doc. 58-463; Filed, Jan. 21, 1958; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JANUARY 14, 1958.

The United States Department of the Interior has filed an application, Serial No. New Mexico 030466, for the withdrawal of lands described below, under the First Form of Withdrawal, from all forms of appropriations, including the

general mining laws and the mineral leasing laws.

The applicant desires the lands for reclamation purposes in connection with the Colorado River Storage Project, Navajo Unit, New Mexico.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 1251, Santa Fe, New Mexico.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 32 N., R. 4 W.,
 Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 10, Lot 5, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 31 N., R. 5 W.,
 Sec. 4, Lots 1 to 4 incl. and S $\frac{1}{2}$;
 Sec. 5, Lots 1 to 3 incl., NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 6, Lot 5 and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 30 N., R. 6 W.,
 Sec. 3, SW $\frac{1}{4}$;
 Sec. 4, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 8, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 10, Lots 1 to 5 incl., and W $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 11, Lots 1 to 5 incl., that part of tract 39 which is in Sec. 11, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 12, Lots 3 and 6, and that part of tract 39 which is in Sec. 12;
 Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 15, Lots 1 and 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 31 N., R. 6 W.,
 Sec. 4, Lot 6 and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 11, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, Lot 2;
 Sec. 20, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, Lot 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 23, NW $\frac{1}{4}$;
 Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 32 N., R. 6 W.,
 Sec. 8, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 10, Lot 1;
 Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 16, W $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 33, SE $\frac{1}{4}$ SW;
 Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 29 N., R. 7 W.,
 Sec. 3, Lot 7;
 Sec. 5, Lots 5 to 8 incl., and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 6, Lots 13 and 14, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$.
 T. 30 N., R. 7 W.,
 Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, Lot 5, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$ (State owned);
 Sec. 3, Lot 6, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;

- Sec. 4, Lot 8 and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 5, Lots 5 to 7 incl., S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 10, E $\frac{1}{2}$;
 Sec. 11, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 12, SW $\frac{1}{4}$;
 Sec. 13, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 14, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 15, SE $\frac{1}{4}$;
 Sec. 22, NE $\frac{1}{4}$;
 Sec. 24, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29, SE $\frac{1}{4}$;
 Sec. 32, all (State owned);
 Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 34, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 31 N., R. 7 W.,
 Sec. 17, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, W $\frac{1}{2}$.
 T. 31 N., R. 7 W.,
 Sec. 24, S $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 25, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, S $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, Lots 7, 8, 11, 12, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 32, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ (State owned);
 Sec. 33, W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 30 N., R. 8 W.,
 Sec. 1, Lots 1 to 4 incl., S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, Lots 1 and 2 and S $\frac{1}{2}$ NE $\frac{1}{4}$ (State owned);
 Sec. 23, N $\frac{1}{2}$;
 Sec. 24, SW $\frac{1}{4}$;
 Sec. 25, all;
 Sec. 36, all (State owned).
 T. 31 N., R. 8 W.,
 Sec. 1, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 35, SE $\frac{1}{4}$;
 Sec. 36, all (State owned).

The above areas aggregate 17,304.58 acres.

E. R. SMITH,
 State Supervisor.

[F. R. Doc. 58-465; Filed, Jan. 21, 1958; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

WAREHOUSE-STORAGE LOANS MADE UNDER 1957 PRICE SUPPORT PROGRAMS

NOTICE OF FINAL DATE FOR REDEMPTION OF GRAINS AND RELATED COMMODITIES

Unless earlier demand is made by CCC, warehouse-storage loans under 1957 Price Support Programs on the agricultural commodities designated in the table below mature and are due and payable on the dates indicated. Unless on or before the final date for repayment specified below such loans are repaid or the producer notifies the ASC county committee in writing that the funds have been placed in the mail, CCC will purchase the commodities pursuant to the provisions of the note and loan agreement at the higher of (1) the amount of the loan plus interest and charges or (2) the market value as determined by the appropriate CSS commodity office as of the close of the market on the final date for repayment. In the case of loans on commodities stored identity preserved or modified commingled, the purchase price applicable to such purchase by CCC shall be the higher of (1) the settlement value determined in accordance with the note and loan agreement or (2) the market value as determined above. Notwithstanding the foregoing provisions, if there has been fraudulent representation by the producer in obtaining the loan, the purchase price applicable to such purchase by CCC shall be the market value only.

In the event the market value is in excess of the loan value plus interest and charges or in excess of the settlement value plus interest and charges in the case of commodities stored identity preserved or modified commingled, the excess amount will be paid to the producer by the appropriate CSS commodity office.

Commodity	Maturity date	Final date for repayment
Barley in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.	Feb. 28, 1958	Feb. 28, 1958
Corn.	Mar. 10, 1958	Mar. 10, 1958
Dry edible beans in Michigan, New York, and Pennsylvania.	Apr. 30, 1958	Apr. 30, 1958
Flaxseed in Arizona and California.	July 31, 1958	July 31, 1958
Grain sorghums.	Feb. 28, 1958	Feb. 28, 1958
Oats in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.	Apr. 30, 1958	Apr. 30, 1958
Rice.	Mar. 17, 1958	Mar. 17, 1958
Rye in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.	Feb. 28, 1958	Feb. 28, 1958
Soybeans.	Apr. 30, 1958	Apr. 30, 1958
Wheat in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.	May 31, 1958	June 2, 1958
In all other States.	Feb. 28, 1958	Feb. 28, 1958

The CSS commodity offices and the areas served by them are shown below:

(Chicago 5, Illinois, 623 South Wabash Avenue; Connecticut, Delaware, Illinois (except for rice), Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Dallas 1, Texas, 500 South Ervay Street; Alabama, Arkansas, Florida, Georgia, Illinois (for rice only), Louisiana, Mississippi, Missouri (for rice only), New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.
 Kansas City 11, Missouri, 560 Westport Road; Colorado, Kansas, Missouri (except for rice), Nebraska, Wyoming.

Minneapolis 8, Minnesota, 1006 West Lake Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Portland 5, Oregon, 1218 Southwest Washington Street: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

(Sec. 4, 62 Stat. 1070 as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 101, 301, 401, 63 Stat. 1031; 15 U. S. C. 714c, 7 U. S. C. 1441, 1447, 1421)

Done at Washington, D. C., this 16th day of January 1958.

[SEAL] **WALTER C. BERGER,**
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 58-475; Filed, Jan. 21, 1958; 8:48 a. m.]

Commodity Stabilization Service

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY THE AGRICULTURAL STABILIZATION AND CONSERVATION STATE COMMITTEES FOR THE STATES OF ARIZONA, FLORIDA, GEORGIA, LOUISIANA, MISSISSIPPI, NEW MEXICO, NORTH CAROLINA, OKLAHOMA, SOUTH CAROLINA, TENNESSEE, TEXAS AND VIRGINIA.

The Allotment and Marketing Quota Regulations for Peanuts of the 1957 and Subsequent Crops (21 F. R. 9370, 9760; 22 F. R. 6659, 6741, 6987, 8475), issued pursuant to the allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1393), provide that any authority delegated to a State Agricultural Stabilization and Conservation Committee by the regulations may be redelegated by the State Committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein redelegations of authority vested in the Agricultural Stabilization and Conservation State Committees by the regulations referred to above which have been made by the State Committees in peanut-producing States for the 1958 crop of peanuts. The following sets forth the sections of the regulations containing the authority being redelegated and the person or persons to whom the authority has been redelegated.

ARIZONA

Sections 729.828 and 729.821 (a)—To the State Administrative Officer and to each Program Specialist engaged in production adjustment work.

FLORIDA

Sections 729.811 (p) (5), 729.818, 729.820 (a), 729.822 (a) and 729.855—To the State Administrative Officer or the person acting in such capacity.

Sections 729.817 (b) (5) and 729.828—To the State Administrative officer or the person acting in such capacity and to each District Farmer Fieldman.

GEORGIA

Section 729.849 (c)—To the State Administrative Officer.

Sections 729.811 (p) (5), 729.811 (p) (5), 729.820 (a), 729.822 (a) and 729.849 (b)—To the State Administrative Officer and to each

Program Specialist engaged in production adjustment work.

Sections 729.818 (b) and 729.828—To the State Administrative Officer, to each Program Specialist engaged in production adjustment work and to each District Farmer Fieldman.

LOUISIANA

Sections 729.819 through 729.822 inclusive—To C. E. Slack, State Administrative Officer and J. R. Bath, Program Specialist.

MISSISSIPPI

Sections 729.817, 729.818, 729.819, 729.820, 729.824, 729.827, 729.853, 729.855 and 729.857 (b)—To the State Administrative Officer or the person acting in such capacity.

Sections 729.822 (a) and 729.828—To the State Administrative Officer or the person acting in such capacity, to each Program Specialist engaged in production adjustment work, and to each District Farmer Fieldman.

NEW MEXICO

Sections 729.817, 729.818, 729.819, 729.820, 729.824, 729.825, 729.827, 729.853, 729.855 and 729.857—To the State Administrative Officer or the person acting in such capacity.

Sections 729.822 and 729.828—To the State Administrative Officer or the person acting in such capacity, to each Program Specialist engaged in production adjustment work, and to each District Farmer Fieldman.

NORTH CAROLINA

Section 729.821—To the Chief, Marketing Quota Section, or the person acting in such capacity.

Section 729.828—To each District Farmer Fieldman or the person acting in such capacity.

OKLAHOMA

Section 729.822—To S. A. Shelby, Chief, Production Adjustment Section, and to A. B. Edmundson, Program Specialist.

Section 729.828—To S. A. Shelby, Chief, Production Adjustment Section, and to Marvin E. Taylor and A. B. Edmundson, Program Specialists.

Section 729.849 and 729.857—To S. A. Shelby, Chief, Production Adjustment Section, and to Marvin E. Taylor, Program Specialist.

SOUTH CAROLINA

Section 729.828—To the State Administrative Officer, to each District Farmer Fieldman, to Joseph W. Jenny, Program Specialist, and to Carl B. Ringer, Assistant Chief, Administrative Division.

TENNESSEE

Sections 729.820, 729.822 and 729.828—To the State Administrative Officer and to each Program Specialist engaged in production adjustment work.

TEXAS

Sections 729.820 and 729.822—To H. H. Marshall, W. M. Hott and Paul Johnson, Program Specialists.

Section 729.828—To H. H. Marshall, W. M. Hott, and Paul Johnson, Program Specialists, and to each District Farmer Fieldman.

VIRGINIA

Sections 729.811 (p) (5), 729.822 (a), 729.828, 729.853 (b) and 729.853 (c)—To W. T. Powers, State Administrative Officer, J. S. Shackleton, Jr. and H. O. Simpson, Program Specialists.

Sections 729.824 (b), 729.849 (b) and (c) and 729.857 (b) (2)—To W. T. Powers, State Administrative Officer and to J. S. Shackleton, Jr., H. O. Simpson, H. L. Vines and A. L. Flippen, Program Specialists.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, 90 as amended; 66 Stat. 27; secs. 106, 112, 377,

70 Stat. 191, 195, 206; 7 U. S. C. 1301, 1358, 1359, 1361-1368, 1372, 1373, 1374, 1376, 1377, 1388)

Issued at Washington, D. C., this 16th day of January 1958.

[SEAL] **WALTER C. BERGER,**
Administrator,
Commodity Stabilization Service.

[F. R. Doc. 58-476; Filed, Jan. 21, 1958; 8:48 a. m.]

PEANUTS

NOTICE OF CLOSING DATES ESTABLISHED BY AGRICULTURAL STABILIZATION AND CONSERVATION STATE COMMITTEES FOR PEANUT-PRODUCING STATES

Sections 729.822 (b) (1), 729.825 (a) and 729.825 (b) of the Allotment and Marketing Quota Regulations for Peanuts of the 1957 and Subsequent Crops (21 F. R. 9370, 9760, 22 F. R. 6659, 6741, 6987, 8475) provide that the Agricultural Stabilization and Conservation State Committees shall, within prescribed limits, establish closing dates for (1) filing applications for new farm allotments, (2) voluntarily releasing acreage which will not be used on the farm for which allotted, and (3) filing applications for increase in allotment from any acreage released by other farmers in the county. Section 3 of the Administrative Procedure Act (5 U. S. C. 1002 (a)) requires that these closing dates be published in the FEDERAL REGISTER. Accordingly there are set forth below the closing dates applicable to the 1958 crop of peanuts which have been established by the State Committees of the peanut-producing States.

I. CLOSING DATES FOR FILING APPLICATIONS FOR NEW FARM ALLOTMENTS

Date	State(s)
Jan. 31, 1958	Florida.
Feb. 1, 1958	Arkansas.
Feb. 7, 1958	Texas.
Feb. 14, 1958	Alabama, Arizona, Louisiana, Mississippi and Oklahoma.
Feb. 15, 1958	Georgia, Missouri, New Mexico, North Carolina, South Carolina, Tennessee and Virginia.

II. CLOSING DATES FOR RELEASING ACREAGE WHICH WILL NOT BE USED ON THE FARM FOR WHICH ALLOTTED

Date	State(s)
Mar. 20, 1958	Alabama.
Apr. 1, 1958	Florida.
Apr. 11, 1958	Georgia.
Apr. 15, 1958	Virginia.
Apr. 25, 1958	Arizona.
Apr. 30, 1958	North Carolina.
May 1, 1958	Mississippi, Missouri and South Carolina.
May 9, 1958	New Mexico.
May 15, 1958	Arkansas.
May 29, 1958	Oklahoma.
May 31, 1958	Louisiana.
June 6, 1958	Texas.
July 1, 1958	Tennessee.

III. CLOSING DATES FOR FILING APPLICATIONS FOR INCREASE IN ALLOTMENT FROM RELEASED ACREAGE

Date	State(s)
Mar. 20, 1958	Alabama.
Apr. 11, 1958	Georgia.
Apr. 15, 1958	Virginia.
Apr. 16, 1958	Florida.

III. CLOSING DATES FOR FILING APPLICATIONS FOR INCREASE IN ALLOTMENT FROM RELEASED ACREAGE—continued

Date	State(s)
May 1, 1958....	Arizona.
May 10, 1958....	North Carolina.
May 15, 1958....	Missouri.
May 16, 1958....	New Mexico.
May 20, 1958....	Mississippi.
May 31, 1958....	South Carolina.
June 1, 1958....	Arkansas.
June 13, 1958....	Oklahoma.
June 17, 1958....	Louisiana.
June 20, 1958....	Texas.
July 15, 1958....	Tennessee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 353, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, 90 as amended; 66 Stat. 27; secs. 106, 112, 377, 70 Stat. 191, 195, 206; 7 U. S. C. 1361, 1368, 1369, 1361-1368, 1372, 1373, 1374, 1376, 1377, 1388)

Issued at Washington, D. C., this 16th day of January 1958.

[SEAL] WALTER C. BERGER,
Administrator,
Commodity Stabilization Service.

[P. R. Doc. 58-477; Filed, Jan. 21, 1958;
8:48 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

ROBERT W. NISSEN

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of July 25, 1956—21 F. R. 5596; January 23, 1957—22 F. D. 461; July 23, 1957—22 F. R. 5846.

A. Deletions: Kaiser Aluminum & Chemical Corp.; Permo Gas & Oil Pfd.; Mackey Airlines, Inc.

B. Additions: Permo Gas & Oil Pfd.; Safety Industries; General Tire; Massachusetts Investment Trust Fund Growth.

This statement is made as of January 6, 1958.

ROBERT W. NISSEN.

JANUARY 6, 1958.

[P. R. Doc. 58-464; Filed, Jan. 21, 1958;
8:45 a. m.]

[Department Order No. 86, Amdt. 3]

CIVIL AERONAUTICS ADMINISTRATION

ORGANIZATION AND FUNCTIONS

The material appearing in 22 F. R. 4257-4258, 22 F. R. 2017-2018, 21 F. R. 7027-7030 is amended as follows:

In order to provide for the reassignment of responsibility for public information activities within the Civil Aeronautics Administration, Department Order No. 86, of July 1, 1956, as amended, is further amended as follows:

1. Subsection 1 of Section 2.02 is amended by deleting "Press and Publications Officer."

2. Subsection 2 of Section 5.02 is amended by deleting the paragraph dealing

ing with the Press and Publications Officer.

3. Section 5.03 is added, and reads as follows:

.03 The Public Information Officer serves as the immediate adviser to and representative of the Office of the Administrator on all public information matters; guides and directs all information programs within the Civil Aeronautics Administration; establishes standards governing liaison with the press and other information media; provides for the preparation and dissemination of information releases; and advises all offices of the agency on public information matters.

4. Subsection 5 of Section 7.02 is changed to read as follows:

(5) The General Services Office provides staff assistance to the Office of the Administrator on all procurement and property management matters, aviation defense requirements, the control and utilization of CAA aircraft, reproduction and distribution of printed and reproduced material, and mail and telegraphic activities, machine tabulation and similar activities; in connection therewith, formulates policies and programs, establishes standards, and prepares instructions for both Washington and field offices, and performs general service functions for the Washington Office; operates an aeronautical library; edits and arranges for reproduction of publications prepared primarily for use of the public; produces motion picture films, exhibits, and other visual presentations; answers general inquiry correspondence from the public; operates a system for the collection of flight facility information for use of airmen, and prepares publications containing such information and data.

Effective date: January 13, 1958.

[SEAL] SINCLAIR WEEKS,
Secretary of Commerce.

[P. R. Doc. 58-484; Filed, Jan. 21, 1958;
8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11710 etc.; FCC 58M-42]

KNORR BROADCASTING CORP. ET AL.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Knorr Broadcasting Corporation, Lansing, Michigan; Docket No. 11710, File No. BP-10391; Capitol Broadcasting Company, East Lansing, Michigan; Docket No. 11848 File No. BP-10604; W. A. Pomeroy, Tawas, City-East Tawas, Michigan; Docket No. 11849, File No. BP-10629; for construction permits.

The Hearing Examiner having under consideration a motion filed January 13, 1958, on behalf of Capitol Broadcasting Company, requesting that a prehearing conference be scheduled at 2:00 p.m. on Friday, January 24, 1958; and

It appearing therein that W. A. Pomeroy and counsel for all other parties have informally consented to a grant of the motion and that the granting there-

of and the scheduling of a prehearing conference will conduce to the orderly dispatch of the Commission's business; now therefore,

It is ordered, This 14th day of January 1958, that the above motion is granted, and that, pursuant to §§ 1.813 and 1.841 of the Commission's rules, the parties or their attorneys shall appear at the offices of the Commission in Washington, D. C., at 2:00 p.m. on Friday, January 24, 1958 for a prehearing conference to consider:

1. The necessity or desirability of simplification, clarification, amplification, or limitation of the issues;

2. The possibility of stipulating with respect to facts;

3. The schedule and procedures to be followed prior to and at the hearing;

4. The limitation of the number of witnesses;

5. The procedures and schedules for the prior mutual exchange between the parties of prepared testimony and exhibits; and

6. Such other matters as may aid in the disposition of this proceeding.

Released: January 15, 1958.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 58-498; Filed, Jan. 21, 1958;
8:52 a. m.]

[Docket Nos. 11880, 11881; FCC 58M-43]

BIRNEY IMES, JR. (WMOX) AND MISSISSIPPI BROADCASTING CO.

ORDER FOLLOWING SECOND PRE-HEARING CONFERENCE (CONTINUING HEARING)

In re applications of Birney Imes, Jr. (WMOX), Meridian, Mississippi; Docket No. 11880, File No. BP-10163; Mississippi Broadcasting Company, Carthage Mississippi; Docket No. 11881, File No. BP-10637; for construction permits.

1. Pursuant to an appropriate order of the Commission, a further pre-hearing conference in the above-entitled proceeding was held January 8, 1958. Counsel representing both applicants and the Chief, Broadcast Bureau, were present and participated. Pursuant to an order dated October 18, 1957, which reflected agreements reached at a prior pre-hearing conference, certain exhibits to be offered in evidence in this proceeding have been exchanged. The pre-hearing conference of January 8, 1958, was called to reach agreements concerning certain of these exhibits and to identify the person or persons to be called for the evidentiary hearing.

2. It was agreed at the hearing conference that the several engineering exhibits exchanged by the applicants in response to Issues 1, 2 and 3 may be offered in evidence without the necessity of calling the engineers who prepared the exhibits as there will be no need to cross-examine the engineers concerning these exhibits.

3. It was also agreed that Mississippi Broadcasting Company, if it desires, may prepare and introduce in evidence an

exhibit showing possible interference to the station proposed by Birney Imes, Jr., if and when Station CMBQ, Havana, Cuba, seeks to operate with maximum power permitted by the North American Regional Broadcasting Agreement. It was agreed also that if such exhibit is to be offered in evidence, it will be exchanged with the other parties on or before January 24, 1958.

4. It appears from an examination of the exhibits offered by Mississippi Broadcasting Company in response to Issue 4 that such exhibits are not complete in that they fail to include a statistical analysis of the programs. Issue 4 contemplates, among other things, a showing of the percentage of time to be devoted to live programming and wire programming. The exhibits also fail to contain sufficient detailed information to enable the parties to determine what staff member or members will be available to operate the station in the manner proposed in its application.

5. It appears from the exhibits offered by Mississippi Broadcasting Company that seven individuals and groups are expected to participate actively in the origination and presentation of a substantial number of live programs which this applicant proposes to broadcast. Counsel for Birney Imes, Jr. and the Chief, Broadcast Bureau desire to cross-examine these witnesses with respect to such participation. Mississippi Broadcasting Company will have available for cross-examination at the evidentiary hearing the proposed general manager and such of the seven persons or groups referred to above who are to participate actively in the organization, preparation and presentation of programs to be broadcast.

6. It also appeared at the hearing conference that it would be a hardship on Mississippi Broadcasting Company to require that applicant to go to hearing on January 14, 1958, the date then scheduled, but that the date of February 5, 1958, would be satisfactory to all parties.

It is ordered, This the 14th day of January 1958, that pursuant to agreements and rulings reached at the pre-hearing conference on January 8, 1958, engineering exhibits previously exchanged by the parties in response to Issues 1, 2, and 3 may be offered in evidence without the necessity of calling an engineering witness to identify the exhibits or to be available for cross-examination thereon; and that Mississippi Broadcasting Company, if it desires, may exchange with the other parties, on or before January 24, 1958, a rebuttal engineering exhibit to be offered in evidence showing the possible interference to the station proposed by Birney Imes, Jr., should Station CMBQ, Havana, Cuba, operate with the maximum power and directive antenna permitted by the North American Regional Broadcasting Agreement;

It is further ordered, That Mississippi Broadcasting Company will prepare a statistical analysis of its proposed programming and make such analysis available to the other parties to the proceeding at least five days prior to the start of the evidentiary hearing;

It is further ordered, That the evidentiary hearing scheduled to begin on January 14, 1958 is continued to February 5, 1958.

Released: January 15, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-499; Filed, Jan. 21, 1958;
8:52 a. m.]

[Docket No. 11982, etc.; FCC 58M-53]

ENTERPRISE BROADCASTING CO. ET AL.

ORDER SCHEDULING ORAL ARGUMENT

In re applications of Enterprise Broadcasting Company, Fresno, California; Docket No. 11982, File No. BP-10319; Air Waves Incorporated (KONG), Visalia, California; Docket No. 11983, File No. BP-10432; Radio Dinuba Company (KRDU), Dinuba, California; Docket No. 11984, File No. BP-10735; for construction permits.

It is ordered, This 17th day of January 1958, on the Chief Hearing Examiner's own motion, that oral argument on the motion of Air Waves, Inc., filed January 13, 1958, for dismissal without prejudice of its application in the above-entitled proceeding, will be held in the Offices of the Commission, Washington, D. C., commencing at 9:30 a. m., Tuesday, January 21, 1958.

Released: January 17, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-500; Filed, Jan. 21, 1958;
8:53 a. m.]

[Docket No. 12037 etc.; FCC 58M-52]

BROADCASTERS, INC., ET AL.

SECOND STATEMENT CONCERNING PRE-HEARING CONFERENCES AND ORDER SCHEDULING HEARING

In re applications of Broadcasters, Inc., South Plainfield, New Jersey; Docket No. 12037, File No. BP-10587; Eastern Broadcasting Company, Inc. (WDRF), Chester, Pennsylvania; Docket No. 12038, File No. BP-10722; Tri-County Broadcasting Corp., Plainfield, New Jersey; Docket No. 12039, File No. BP-10878; for construction permits.

The third pre-hearing conference was held herein on December 19, 1957. All parties were represented by counsel. Agreements were reached among the parties and were stated on the record, as reflected in the transcript which is incorporated herein by reference. Such agreements are found to be acceptable and approved by the Hearing Examiner. They included the following:

1. All parties agreed that this proceeding, having begun under the provisions of § 1.841 of Part I of the Commission's rules as then effective, which provide for a mandatory written direct case, should continue to be governed by the provisions

of that section, as then effective, rather than by the provisions of the new Part I of the Commission's rules, to become effective February 3, 1958, which permit, but do not require, a written direct case (Tr. 77-8).

2. The direct cases, in written form, shall be prepared as follows:

(a) The testimony of each witness shall be prepared in narrative form and shall be submitted under the affidavit of the particular witness (Tr. 81-2).

(b) All narrative statements (except engineering exhibits) shall be prepared in double-spaced form; each page and each line shall be numbered, and carbon copies shall not be acceptable (Tr. 81-2).

(c) Parties shall be designated by abbreviated names, and use a series of numbers for their exhibits, as follows: Broadcasters, 100-199; Eastern, 200-299; Tri-County, 300-399; Long Island, 400-499; and Commission Counsel, 500-599. Narrative statements shall be numbered in series. An exhibit connected with a narrative statement shall be given the same number as the narrative statement, plus an identifying letter in series, such as "100-A." (Engineering exhibits may vary from this style.) (Tr. 81-2)

3. Where the direct case in written form contains testimony of witnesses whose direct testimony appropriately could have been taken by deposition, parties will not object to taking cross-examination of such witnesses through deposition procedures rather than requiring those witnesses to be brought to Washington (Tr. 82-7).

4. The direct written cases shall be exchanged on or before February 3, 1958 (Tr. 96).

5. On or before February 17, 1958, counsel for each party shall serve upon all other counsel, and furnish the Hearing Examiner, in triplicate, a written statement containing (a) a list of all objections it desires to make to the receipt in evidence of any exhibits or specific portions thereof contained in the direct cases already exchanged, together with a brief statement of the reason for each objection; and (b) list of items of additional information, if any, it requests from other applicants (Tr. 96).

6. On or before February 17, 1958, each party shall serve upon all other parties, and furnish the Hearing Examiner, in triplicate, a notice stating which witnesses it desires to be produced for cross-examination (a) in Washington, or (b) through deposition procedures (Tr. 96).

7. A further pre-hearing conference will be waived unless requested by the parties (Tr. 96).

8. Hearing will begin on February 24, 1958, at 10:00 a. m., at which time each party will offer its direct case in writing (Tr. 96).

9. Witnesses will be heard beginning March 3, 1958 (Tr. 96).

10. In the case of exhibits showing other services available, if there are as many as ten or more services available to 100 percent of an area, a statement identifying these stations will not be objected to even though a map is not presented depicting those contours or the contours of any other stations which serve parts of the area: *Provided, however*, That the parties do not stipulate

that this showing would be sufficient to show that adequate service is present or to satisfy any burden under the issues; nor do they stipulate as to what findings, if any, could be made by virtue of such showing (Tr. 87-96).

It is ordered, This 16th day of January 1958, that the foregoing agreements and requirements shall govern the course of the proceeding to the extent indicated, unless modified by the Hearing Examiner for cause or by the Commission upon review of the Hearing Examiner's ruling.

It is further ordered, That the hearings herein are scheduled for February 24 and March 3, 1958, at 10:00 a. m.

Released: January 17, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-501; Filed, Jan. 21, 1958;
8:53 a. m.]

[Docket No. 12104 etc.; FCC 58M-50]

RALPH D. EPPERSON ET AL.

ORDER FOLLOWING THIRD PREHEARING
CONFERENCE (SCHEDULING HEARING)

In re applications of Ralph D. Epperson, Williamsburg, Virginia; Docket No. 12104, File No. BP-10958; Mary Cobb & Richard S. Cobb d/b as Williamsburg Broadcasting Company, Williamsburg, Virginia; Docket No. 12105, File No. BP-11199; WDDY, Incorporated (WDDY), Gloucester, Virginia; Docket No. 12271, File No. BP-11508; for construction permits.

1. Pursuant to agreements and rulings made on the record of a prehearing conference held this date in the above-entitled matter,

It is ordered, This 16th day of January 1958, that the parties shall informally exchange their engineering exhibits on February 17, 1958; and

It is further ordered, That the parties shall informally exchange their lay exhibits on March 3, 1958; and

It is further ordered, That a further prehearing conference will be held at 10:00 a. m., March 17, 1958, in the Commission's offices at Washington, D. C.; and

It is further ordered, That the hearing proper shall commence at 10:00 a. m., March 24, 1958, in the Commission's offices at Washington, D. C.

Released: January 17, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-502; Filed, Jan. 21, 1958;
8:53 a. m.]

[Docket No. 12110; FCC 58M-47]

GRAND HAVEN BROADCASTING CO. (WGHN)

ORDER CONTINUING HEARING

In re application of Grand Haven Broadcasting Company (WGHN), Grand

Haven, Michigan; Docket No. 12110, File No. BP-11160; for construction permit.

The Hearing Examiner having under consideration the desirability of continuing the date of hearing;

It appearing that there is on file with the Commission another application which would involve a conflict with the application in this proceeding but that such pending application has not yet been designated for hearing; and

It further appearing that no purpose would be served by proceeding with the hearing now scheduled for February 3, 1958;

It is ordered, This 15th day of January 1958, that the hearing scheduled to commence February 3 is continued to February 26, 1958.

Released: January 16, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-503; Filed, Jan. 21, 1958;
8:53 a. m.]

[Docket No. 12231; FCC 58M-48]

GREYLOCK BROADCASTING CO. (WBRK)

ORDER CONTINUING HEARING CONFERENCE

In re application of Greylock Broadcasting Company (WBRK), Pittsfield, Massachusetts; Docket No. 12231, File No. BP-11385; for construction permit.

The Hearing Examiner having under consideration a petition filed January 15, 1958, by Greylock Broadcasting Company requesting that the further pre-hearing conference now scheduled for January 16, 1958 be continued to January 31, 1958; and

It appearing that the reason for the requested continuance is the fact that informal conferences among the engineers have resulted in a re-examination of the engineering problem and the applicant desires to submit a new engineering exhibit which cannot be completed and exchanged prior to January 22, 1958; and

It further appearing that all parties have agreed to the requested continuance and for immediate consideration of the pending petition, and that good cause for the requested continuance has been shown;

It is ordered, This the 16th day of January 1958, that a new engineering exhibit will be submitted by the applicant to the other parties on or before January 22, 1958, and that the pre-hearing conference now scheduled for January 16, 1958 is continued to January 31, 1958.

Released: January 16, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-504; Filed, Jan. 21, 1958;
8:53 a. m.]

[Docket No. 12234; FCC 58M-34]

CAPITOL CAB CO., INC.

ORDER CONTINUING HEARING

In the matter of Capitol Cab Company, Inc., Somerville, Massachusetts; Docket No. 12234; order to show cause why the license for Taxicab Radio Station KCE 672 should not be revoked.

The Hearing Examiner having under consideration a request for continuance of hearing filed by Capitol Cab Company, Inc. on January 7, 1958;

It appearing that Capitol Cab Company has on file with the Commission a petition going to the merits of this proceeding and as a consequence desires an indefinite continuance; and

It further appearing that the Safety and Special Radio Services Bureau has no objection to the requested continuance or to its immediate consideration;

It is ordered, This 13th day of January 1958, that the request for continuance is granted and the hearing is continued without date.

Released: January 13, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-505; Filed, Jan. 21, 1958;
8:54 a. m.]

[Docket 12285]

STUDY OF RADIO AND TELEVISION NETWORK
BROADCASTING

SUPPLEMENTARY NOTICE OF PUBLIC HEARING

In the Notice of Public Hearing, FCC 58-37 of January 9, 1958, in this proceeding, all persons desiring to participate in the hearing were instructed to file a notice of appearance on or before January 31, 1958, said notice to contain the name of each witness, the organization he represents, if any, and a brief outline of the subject matter proposed to be covered in the testimony of said witness.

All persons filing the above-mentioned notice of appearance are requested to submit an original and 14 copies of the notice.

Dated: January 16, 1958.

Released: January 17, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-506; Filed, Jan. 21, 1958;
8:54 a. m.]

FEDERAL POWER COMMISSION

[Project No. 2153]

UNITED WATER CONSERVATION DISTRICT;
CALIFORNIA

NOTICE OF LAND WITHDRAWAL

JANUARY 16, 1958.

Conformable to the provisions of section 24 of the Act of June 10, 1920, as amended, notice is hereby given that the

lands hereinafter described, insofar as title thereto remains in the United States, are included in power project No. 2153 for which completed amended application for license, for the Santa Felicia Dam and Reservoir Area, was filed January 15, 1957. Under said section 24 all lands of the United States lying within the project boundary as delimited upon revised map filed in support of said application, are from said date of filing reserved from entry, location or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

SAN BERNARDINO MERIDIAN

T. 5 N., R. 18 W.,

Sec. 10: E $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 15: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 22: W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 27: Lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The area reserved pursuant to the filing of this application is approximately 127 acres, all of which is located within the Angeles and Los Padres National Forests and has been heretofore reserved in connection with Power Site Classification No. 414 California.

Copies of Project map, Exhibit K-1 (F. P. C. No. 2153-2) delimiting the entire project works and Exhibit K (F. P. C. No. 2153-12) delimiting the Santa Felicia Reservoir area have been transmitted to the Bureau of Land Management, Geological Survey, and Forest Service.

[SEAL]

JOSEPH H. GUTRIDE,

Secretary.

[F. R. Doc. 58-466; Filed, Jan. 21, 1958; 8:46 a. m.]

[Docket No. G-13237]

TRANSCONTINENTAL GAS PIPE LINE CORP.
NOTICE OF APPLICATION AND DATE OF HEARING

JANUARY 16, 1958.

Take notice that Transcontinental Gas Pipe Line Corporation (Applicant), a Delaware corporation, having its principal place of business in Houston, Texas, filed on September 9, 1957, an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity, authorizing the construction and operation of approximately 2.666 feet of 10-inch lateral line with appurtenant equipment extending in a southwesterly direction from a connection with Applicant's Compressor Station 34, in Cleveland County, North Carolina, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

On October 14, 1957, Applicant filed an amendment to its application, wherein the diameter of the requested lateral is proposed to be increased from 10 inches, as originally applied for, to 12 inches.

In Docket No. G-10000, Applicant was authorized to sell and deliver gas to Carolina Pipe Line Company (Carolina Pipe), at a point on its main system in South Carolina. The proposed lateral line will connect with facilities of Carolina Pipe in Cherokee County, South Carolina.

The cost of the proposed facilities is estimated at \$24,000. Applicant will finance the construction from funds on hand and will be reimbursed subsequently by Carolina Pipe for the full cost of the facilities.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 18, 1958 at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 7, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

JOSEPH H. GUTRIDE,

Secretary.

[F. R. Doc. 58-486; Filed, Jan. 21, 1958; 8:50 a. m.]

[Docket No. G-14061]

TIDEWATER OIL CO.

MISCELLANEOUS AMENDMENT

JANUARY 16, 1958.

In the Order for Hearing and Suspending Proposed Change in Rates, issued December 30, 1957, and published in the FEDERAL REGISTER on January 4, 1958 (23 F. R. 92), on page 2, after "By the Commission," the words "Commissioners Digby and Kline dissenting" should be deleted.

[SEAL]

JOSEPH H. GUTRIDE,

Secretary.

[F. R. Doc. 58-487; Filed, Jan. 21, 1958; 8:50 a. m.]

[Docket No. G-14062]

TEXAS CO.

MISCELLANEOUS AMENDMENT

JANUARY 16, 1958.

In the Order for Hearing and Suspending Proposed Change in Rates, issued December 24, 1957, and published in the FEDERAL REGISTER on January 1,

1958 (23 F. R. 21) on page 2, after "By the Commission," the words "Commissioners Digby and Kline dissenting" should be deleted.

[SEAL]

JOSEPH H. GUTRIDE,

Secretary.

[F. R. Doc. 58-488; Filed, Jan. 21, 1958; 8:50 a. m.]

[Docket No. G-14250]

ATLANTIC REFINING CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGES IN RATES

JANUARY 16, 1958.

The Atlantic Refining Company (Atlantic), on December 19, 1957, tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of changes dated: (1) December 12, 1957; (2) December 12, 1957; (3) December 16, 1957; (4) December 13, 1957; (5) December 12, 1957; (6) December 16, 1957; (7) December 13, 1957.

Purchaser: El Paso Natural Gas Company. Rate schedule designation: (1) Supplement No. 1 to Atlantic's FPC Gas Rate Schedule No. 11; (2) Supplement No. 7 to Atlantic's FPC Gas Rate Schedule No. 29; (3) Supplement No. 3 to Atlantic's FPC Gas Rate Schedule No. 17; (4) Supplement No. 3 to Atlantic's FPC Gas Rate Schedule No. 19; (5) Supplement No. 8 to Atlantic's FPC Gas Rate Schedule No. 20; (6) Supplement No. 5 to Atlantic's FPC Gas Rate Schedule No. 18; (7) Supplement No. 4 to Atlantic's FPC Gas Rate Schedule No. 15.

Effective date: January 19, 1958 (effective date is the first day after expiration of the required thirty days' notice, or the date increase becomes effective under rate schedule, if later).

In support of the proposed favored-nations rate increases, Atlantic cites the pertinent pricing provisions of its contracts. In addition, Atlantic submits a copy of a letter from El Paso Natural Gas Company (El Paso) notifying Atlantic that the contracts under which El Paso purchases gas in the Permian Basin of West Texas and New Mexico provide for an increase in the price of such gas of one cent per Mcf commencing January 1, 1958.

The exact date that the increases would become due under the rate schedules cannot be determined since neither El Paso nor Atlantic have stated which contract or contracts would "trigger" the increases.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Atlantic make an early submission of proof or an agreement from the buyer of the date that the suspended rate would have become effective under the terms of the respective rate schedule.

(2) It is necessary and proper in the public interest and to aid in the enforce-

ment of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Atlantic to submit, within 15 days from the date of issuance hereof, proof or an agreement from the buyer of the date that the suspended rate would have become effective under the terms of the respective rate schedule.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charges contained in the above-designated supplements to Atlantic's rate Schedules.

(C) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until June 19, 1958, or, if later, until such date that is five months after the date that the escalation provision of the rate schedule becomes operative to permit the proposed increased rate, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-489; Filed, Jan. 21, 1958;
8:50 a. m.]

[Docket No. G-14251]

TEXAS CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

JANUARY 16, 1958.

The Texas Company (Texas) on December 18, 1957, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: Cities Service Gas Company.
Rate schedule designation: Supplement No. 2 to Texas' FPC Gas Rate Schedule No. 15.

Effective date: February 1, 1958 (effective date is the effective date proposed by Texas, or, the date the "triggering" rate increase of Republic Natural Gas Company, suspended in Docket No. G-13062, is made effective, if later).

In support of the proposed favored-nations rate increase, Texas refers to the pertinent pricing provision of its rate schedule stating that if at any time the purchaser pays a wellhead price for gas purchased from others in the Guymon-Hugoton Field higher than paid Texas, that the price paid Texas shall be increased to coincide with such higher price. Texas submits a copy of a letter from Cities Service Gas Company (Cities Service) to the effect that Cities Service has negotiated an agreement with Republic Natural Gas Company at a rate of 13 cents per Mcf. Texas states that its increased expenses more than justify the requested rate increase and cites increases in wages and the cost of steel. Texas further states that it and other producers currently sell gas in the same field at 15 cents per Mcf to other purchasers and higher prices are being offered for new or additional gas supplies in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 2 to Texas' FPC Gas Rate Schedule No. 15 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Texas' FPC Gas Rate Schedule No. 15.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until July 1, 1958, or, if later, until such date as the rate increase of Republic Natural Gas Company, suspended in Docket No. G-13062, is made effective subject to refund, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice

and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-490; Filed, Jan. 21, 1958;
8:51 a. m.]

[Docket No. G-14252]

PAUL P. SCOTT TRUST ET AL.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

JANUARY 16, 1958.

Paul P. Scott Trust et al. (Respondent), on December 17, 1957, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated December 12, 1957.

Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Respondent's FPC Gas Rate Schedule No. 1.

Effective date: January 17, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed rate increase, Respondent states that the increase is justified by the provisions of the contract, that the contract resulted from arm's length negotiations in which the Buyer enjoyed a monopolistic position, and that Respondent would be without effective remedy if the increased rate is suspended because of the small volume involved as compared to the cost to Respondent of a hearing on such matter.

It appears that the proposed increase results from the operation of escalation provisions in the contract but no proof has been submitted as to the date on which such escalation would be effective.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Respondent submit within a reasonable time proof of the date upon which the proposed increased rate would become effective under the above-designated rate schedule.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Respondent shall submit proof, through agreement with the Buyer or otherwise, of the date that the proposed increased rate would have been effective under the above-designated rate schedule.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(C) Pending such hearing and decision thereon, said supplement is hereby suspended and the use thereof deferred until June 17, 1958, or until such date that is five months after the date that the proposed rate set forth in such supplement would have become effective under the terms of the above-designated rate schedule, whichever is later, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-491; Filed, Jan. 21, 1958;
8:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1123]

ABERDEEN FUND ET AL.

NOTICE OF APPLICATION TO PERMIT CONTINUANCE OF MANAGEMENT UNDERWRITING AND ADVISORY CONTRACTS FOR LONGER THAN A ONE YEAR PERIOD

JANUARY 15, 1958.

In the matter of Aberdeen Fund, David L. Babson and Company, and David L. Babson Management Corporation, File No. 812-1123.

Notice is hereby given that Aberdeen Fund ("Fund") a common law trust registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified investment company, David L. Babson and Company ("Investment Counsel"), investment advisor to Fund and David L. Babson Management Corporation ("Depositor"), sponsor, investment advisor and principal underwriter for Fund, have filed an application pursuant to section 6 (c) of the Act seeking an exemption from the provisions of sections 15 (a) (2) and 15 (b) (1) of the Act so as to permit continuance of management, investment advisory and underwriting contracts from February 15, 1958 until April 15, 1959.

Section 15 requires, among other things, that continuance of existing investment advisory and underwriting contracts of a registered investment company be approved annually by a majority of its board of directors or by

a vote of a majority of its outstanding voting securities. Fund, being a trust, has no board of directors. Thus the Depositor has solicited the shareholders of the Fund for their written approval of (a) the continuance of the Depositor as principal underwriter and investment advisor of the Fund and (b) the Investment Counsel as such investment counsel, and such approval has been given by more than a majority of the outstanding voting securities of the Fund at least annually during the continuance of the respective contracts which provide for said services rendered by the Depositor and the Investment Counsel.

The last such solicitation was addressed to the shareholders of the Fund on January 25, 1957, and the written approval of the shareholders was received and effective as of February 15, 1957, and therefore pursuant to sections 15 (a) (2) and 15 (b) (1) of the Act, it is incumbent upon the Depositor to solicit and obtain on or before February 15, 1958, the similar written approval of the shareholders for the continuance of said contracts until February 15, 1959.

It is represented that pursuant to Rule X-14A-3 (a) and (b) of the Securities Exchange Act of 1934 the annual report of the Fund must be mailed to shareholders before or with the proxy material soliciting their approval of the continuance of said contracts with the Depositor and the Investment Counsel, said proxy material cannot be sent to the shareholders until the preparation and distribution to the shareholders of the annual report. Since the fiscal year of the Fund is the calendar year, it is impracticable or impossible to prepare and distribute to shareholders the annual report until on or about January 25. In consequence there remain some twenty days between the mailing of the proxy material to the shareholders and the termination date of both the management contract and the investment counsel contract, by which time the required approval of the shareholders to the continuance thereof must have been obtained. This period of time for the solicitation of shareholder approval may on occasion prove to be insufficient for the purpose and possibly result in a depositor lapse to the detriment of the Fund.

The Fund, the Depositor and the Investment Counsel accordingly have requested that the Commission issue an order under section 6 (c) to the effect that the continuance in effect of the contract of the principal underwriter and investment advisor and of the contract of the investment counsel be exempted from the provisions of sections 15 (a) (2) and 15 (b) (1) to the extent that said contracts may be continued in effect from February 15, 1958, to and including April 15, 1959, provided that said continuance shall be approved in writing by the holders of a majority of the outstanding voting securities of the Fund on or before February 15, 1958. With such exemption the Depositor, commencing in the year 1959, will have an extended period of time, viz. from approximately January 25 until April 15, to solicit and obtain the approval of the shareholders for the continuance of the

management contract and the investment counsel contract.

Section 6 (c) of the act provides that the Commission, upon application, may exempt any person or transaction from any provisions of the act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 30, 1958, at 5:30 p. m., submit to the Commission, in writing, any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 58-469; Filed, Jan. 21, 1958;
8:46 a. m.]

[File No. 812-1129]

PETROLEUM CORPORATION OF AMERICA

NOTICE OF FILING OF APPLICATION FOR EXEMPTION OF PURCHASE OF SECURITIES DURING EXISTENCE OF UNDERWRITING SYNDICATE

JANUARY 15, 1958.

Notice is hereby given that Petroleum Corporation of America, ("Petroleum") a registered management closed-end investment company, has filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 10 (f) of the Act, the proposed purchase by applicant of not to exceed 10,000 of the ordinary shares of Royal Dutch Petroleum Company ("Royal Dutch") of the class listed on the New York Stock Exchange, including any shares of said class proposed to be offered in January 1958 by Royal Dutch to its shareholders.

Royal Dutch has filed a registration statement with the Commission pursuant to the provisions of the Securities Act of 1933, proposing a world-wide rights offering of 7,602,285 shares of such stock to its stockholders on a one for eight basis at a price not yet determined, which is expected to become effective on or about January 17, 1958. Such offering is being underwritten by a group of underwriters.

Among the principal underwriters named or to be named in such registration statement are Glorie, Forgan & Co.; Kuhn, Loeb & Co.; and E. F. Hutton & Co. Mr. Edward F. Hayes, a limited partner of Glorie, Forgan & Co., Mr. Robert E. Walker, a limited partner of

Kuhn, Loeb & Co., and Mr. Ruloff E. Cutten, a partner of E. F. Hutton & Co., are members of the Board of Directors of Petroleum. In addition, there will be a number of other principal underwriters none of whom is affiliated in any way with Petroleum.

After the registration statement has become effective and the price and other terms of such offering have been made public, Petroleum may determine to purchase some of the shares being offered, not to exceed 10,000 shares. Such purchase will not be made from Gloré, Forgen & Co., Kuhn, Loeb & Co., or E. F. Hutton & Co., but may be made from any other underwriter of the shares, and will be made at the price at which the shares are being offered by the underwriters to the general public, and the underwriter or underwriters selling the shares to Petroleum will receive the same discounts or commissions in connection therewith as in the case of the shares similarly sold to the general public or Petroleum may determine to make such purchase through the purchase of rights from persons other than the above-named partnerships at market prices then prevailing and the exercise of such rights.

Section 10 (f) of the act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director or member of an advisory board of such registered investment company is an affiliated person unless the Commission by order grants an exemption therefrom. Since affiliates of Petroleum may be affiliated persons of investment banking firms which may be part of the underwriting group referred to above, the proposed purchases of securities of Royal Dutch by Petroleum are subject to the provisions of section 10 (f) of the act.

The application represents that the proposed purchases of the stock of Royal Dutch is consistent with the investment policy of Petroleum.

Notice is further given that any interested person may, not later than January 27, 1958 at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission,

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 58-470; Filed, Jan. 21, 1958;
8:47 a. m.]

[File No. 812-1130]

ADAMS EXPRESS CO. AND AMERICAN
INTERNATIONAL CORP.

NOTICE OF FILING OF APPLICATION FOR EX-
EMPTION OF PURCHASE OF SECURITIES
DURING EXISTENCE OF UNDERWRITING
SYNDICATE

Notice is hereby given that The Adams Express Company ("Adams") and American International Corporation ("American"), registered closed-end diversified investment companies, have filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 10 (f) of the Act, the proposed purchase of not to exceed an aggregate of 25,000 of the ordinary shares of Royal Dutch Petroleum Company ("Royal Dutch") of the class listed on the New York Stock Exchange, including any shares of said class proposed to be offered in January 1958 by Royal Dutch to its shareholders. Adams owns approximately 70 percent of the outstanding voting securities of American.

Royal Dutch has filed a registration statement with the Commission pursuant to the provisions of the Securities Act of 1933, proposing a world-wide rights offering of 7,602,285 shares of such stock to its stockholders on a one for eight basis at a price not yet determined, which is expected to become effective on or about January 17, 1958. Such offering is being underwritten by a group of underwriters.

Among the principal underwriters named or to be named in such registration statement are Hallgarten & Co., R. W. Pressprich & Co. and Scott & Stringfellow. Mr. Maurice Newton, a partner in Hallgarten & Co., Mr. Clinton S. Lutkins, a partner in R. W. Pressprich & Co. and Mr. Budford Scott, a partner in Scott & Stringfellow, are members of the Board of Managers of Adams and of the Board of Directors of American. In addition, there will be a number of other principal underwriters, none of whom is affiliated in any way with Adams or American.

After the registration statement has become effective and the price and other terms of such offering have been made public, Adams or American, or both, may determine to purchase some of the shares being offered, not to exceed in the case of Adams 15,000 shares and in the case of American 10,000 shares, or an aggregate maximum of 25,000 shares for the two companies, being less than 1 percent of the total of 7,602,285 shares of Royal Dutch to be offered. Any shares so purchased by Adams or American will be purchased only from underwriters other than Hallgarten & Co., R. W. Pressprich & Co. and Scott & Stringfellow, or in the open market from others who are not affiliated persons or affiliated persons of Adams or American.

Section 10 (f) of the act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the

issuer) a principal underwriter of which is a person of which a director or member of an advisory board of such registered investment company is an affiliated person unless the Commission by order grants an exemption therefrom. Since affiliates of Adams and American may be affiliated persons of investment banking firms which may be part of the underwriting group referred to above, the proposed purchases of securities of Royal Dutch by Adams and American are subject to the provisions of section 10 (f) of the act.

The application represents that the proposed purchases of the stock of Royal Dutch is consistent with the investment policies of Adams and American.

Notice is further given that any interested person may, not later than January 27, 1958 at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission,

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 58-471; Filed, Jan. 21, 1958;
8:47 a. m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-VI-8]

MANAGER, DISASTER FIELD OFFICE

DELEGATION RELATING TO FINANCIAL
ASSISTANCE FUNCTIONS

Notice is hereby given that this delegation (22 F. R. 10980) is rescinded in its entirety.

Dated: January 13, 1958.

J. G. GARWICK,
Regional Director,
Cleveland Regional Office.

[F. R. Doc. 58-472; Filed, Jan. 21, 1958;
8:47 a. m.]

INTERSTATE COMMERCE
COMMISSION

[Notice 200]

MOTOR CARRIER APPLICATIONS

JANUARY 17, 1958.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and cer-

tain other procedural matters with respect thereto (49 CFR 1.241).

All hearings will be called at 9:30 o'clock a. m., United States Standard Time, unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 200 (Sub No. 194), filed December 23, 1957, RISS & COMPANY, INC., 15 West 10th Street, Kansas City, Mo. Applicant's attorney: Ivan E. Moody, same address as applicant. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, live poultry, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Olin Mathieson Chemical Corporation plant, approximately one mile southeast of Mapleton, Ill., and approximately six (6) miles southwest of Peoria, Ill., or approximately six (6) miles west of Pekin, Ill., as an intermediate point in connection with applicant's authorized regular route operations between Kansas City, Mo., and Chenoa, Ill., over U. S. Highway 24. Applicant is authorized to conduct operations in Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, Virginia, West Virginia, and the District of Columbia.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 2202 (Sub No. 162), filed January 6, 1958. Applicant: ROADWAY EXPRESS, INC., 147 Park Street, Akron, Ohio. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue, NW., Washington 6, D. C. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving the site of the Olin Mathieson Chemical Corporation Plant located near Mapleton, Ill., as an off-route point in connection with applicant's authorized regular route operations over Illinois Highway 29 between Peoria, Ill., and Springfield, Ill.; and between Detroit, Mich., and Peoria, Ill., over U. S. Highways 25 and 24.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 2229 (Sub No. 87), filed October 28, 1957, RED BALL MOTOR FREIGHT, INC., 1210 South Lamar Street, P. O. Box 3148, Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including Class A and B explosives, but excluding those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special

equipment, between Clovis, N. Mex., and Tucumcari, N. Mex., (1) from Clovis over New Mexico Highway 18 to Tucumcari, through Quay, Ragland, Grady, Broadview and Clauvde, and return over the same route, serving all intermediate points; (2) from Clovis over New Mexico Highway 18 to junction New Mexico Highway 39 (at or near Grady, N. Mex.), thence over New Mexico Highway 29 to junction U. S. Highway 66 (at or near San Jon, N. Mex.), thence over U. S. Highway 66 to Tucumcari, and return over the same route, serving all intermediate points; (3) from Clovis over New Mexico Highway 18 to junction New Mexico Highway 39 (at or near Grady, N. Mex.), thence over New Mexico Highway 39 to junction U. S. Highway 54 (at or near Logan, N. Mex.), thence over U. S. Highway 54 to Tucumcari, and return over the same route, serving all intermediate points; coordinating the above proposed service with service being rendered under applicant's present authority.

HEARING: March 17, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 3252 (Sub No. 18), filed December 10, 1957, PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine. Applicant's attorney: Francis E. Barrett, 7 Water Street, Boston 9, Mass. For authority to operate as a *common carrier*, over irregular routes, transporting: *Coal tar products, asphalt, asphalt cutbacks, asphalt emulsions and road oils*, in bulk, in tank vehicles, from Lewiston, Yarmouth, Woolwich, and Portland, Maine, to points in New Hampshire; and *refused shipments* of the commodities specified on return. Applicant is authorized to transport petroleum products in Maine, Massachusetts, New Hampshire and Rhode Island.

HEARING: March 7, 1958, at the Federal Building, Portland, Maine, before Joint Board No. 114, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 5631 (Sub No. 4), filed December 2, 1957, DAVID MACCLAIN and DANIEL KANCLER, a Partnership, doing business as MACCLAIN TRUCKING CO., 46 Wyllys Street, Glastonbury, Conn. Applicant's attorney: Reubin Kaminsky, 410 Asylum Street, Hartford 3, Conn. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fertilizer and fertilizer materials, and agricultural insecticides, fungicides, herbicides and rodenticides*, from East Windsor and North Haven, Conn., to points in Massachusetts, Rhode Island, and New York, and *empty containers or other such incidental facilities* used in transporting the commodities specified, and *refused, rejected and damaged shipments* of the said commodities, on return. RESTRICTION: The service authorized is subject to the condition that the carrier shall not transport any of the above-described commodities in liquid, in bulk, in tank vehicles, between the points specified. Applicant is authorized to

transport the commodities above described between Portland, Conn., on the one hand, and, on the other, points in New York, subject to the above restriction, and similar commodities from, to and between specified points in Connecticut, New York, Massachusetts, and Rhode Island.

HEARING: March 14, 1958, at the U. S. Court House, Hartford, Conn., before Examiner Herbert L. Hanback.

No. MC 8681 (Sub No. 60), filed December 20, 1957, WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 North Meridian Street, Indianapolis 2, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Motor vehicles*, except trailers, in truckaway service, in secondary movements, between Denver, Colo., on the one hand, and, on the other, points in Lake and Porter Counties, Ind., and points in Illinois and Missouri. Applicant is authorized to conduct similar operations in California, Colorado, Idaho, Illinois, Iowa, Kansas, Michigan, Missouri, Nebraska, Nevada, New Mexico, Utah, Washington, and Wyoming.

NOTE: On return movements applicant proposes to transport rejected and/or damaged shipments, and the above described units, to be returned to the factory for repairing.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 8681 (Sub No. 61), filed December 20, 1957, WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 North Meridian Street, Indianapolis 2, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Utility rental property trailers* loaded with personal property belonging to lessees of the trailers, and *damaged shipments* of said trailers, in secondary movements, in truckaway service, between all points in the United States. Applicant is authorized to transport utility rental property trailers throughout the United States.

HEARING: February 24, 1958, at the New Customs House, Denver, Colo., before Examiner Frank R. Saltzman.

No. MC 8681 (Sub No. 62), filed December 26, 1957, WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 North Meridian Street, Indianapolis 2, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trucks, truck tractors and truck chassis, and bodies for such vehicles, and trailers and semi-trailers* when being transported for delivery with a truck or tractor, in secondary movements, in truckaway service, between points in California, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, Arizona, New Mexico, and Nevada, except that no service is proposed (a) between points in Los Angeles County, on the one hand, and, on the other, points in Nevada, Utah, New

Mexico, and Arizona; (b) between San Francisco and Oakland, Calif., and Reno, Nev.; (c) between San Francisco and Oakland, Calif., and points in Arizona and Utah; and (d) for the transportation of new trucks westbound from points in that part of Colorado on, south and east of a line beginning at the Colorado-New Mexico state line and extending north along U. S. Highway 285 to its junction with U. S. Highway 50, thence east along U. S. Highway 50 to the Colorado-Kansas state line, to points in California, nor from San Leandro, Calif., and points within 20 miles thereof, to points in Colorado, Wyoming, Utah, Arizona, New Mexico, and Nevada, nor from Salt Lake City, Utah, to San Leandro, Calif., and points within 20 miles of San Leandro. Applicant is authorized to transport the commodities specified in California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, Nevada, Utah, Washington, and Wyoming.

HEARING: February 3, 1958, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 8681 (Sub No. 63), filed December 26, 1957, WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 North Meridian Street, Indianapolis 2, Ind. For authority to operate as a common carrier, over irregular routes, transporting: Trucks, truck tractors and truck chassis, and bodies for such vehicles, and trailers and semi-trailers when being transported for delivery with a truck or truck tractor, in secondary movements, in truckaway service, between points in Colorado, Wyoming, Utah, Arizona, New Mexico, Nevada, Idaho, and Washington, except that no service is proposed westbound on new trucks from points in that part of Colorado on, south and east of a line beginning at the Colorado-New Mexico State line and extending north along U. S. Highway 285 to its junction with U. S. Highway 50, thence east along U. S. Highway 50 to the Colorado-Kansas State line, to points in New Mexico and Arizona. Applicant is authorized to transport the commodities specified in California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, Nevada, Utah, Washington, and Wyoming.

HEARING: February 3, 1958, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 9787 (Sub No. 18), filed November 29, 1957, STANTON TRANSPORTATION CO., a Corporation, Craig, Colo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. For authority to operate as a common carrier, over irregular routes, transporting: Pipe, and pipeline material, and machinery, equipment, materials and supplies incidental to and used in the construction or repairing and dismantling of pipelines, except the stringing and picking up of pipe in connection with the transportation of petroleum, petroleum products or natural gas, (1) between

points in Colorado, Utah, Wyoming, Montana, Nebraska, North Dakota, New Mexico, South Dakota, and Idaho; and (2) between points in the above-specified States, on the one hand, and, on the other, points in Oregon and Washington. Applicant is authorized to conduct operations in Colorado, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

NOTE: Applicant states it is authorized to transport Part 2 of the Mercer Description restricted except in Colorado, Utah, and Wyoming, against picking up or stringing pipe in connection with main or trunk pipelines, in all of the above territory, except Idaho.

HEARING: February 26, 1958, at the New Customs House, Denver, Colo., before Examiner Frank R. Saltzman.

No. MC 9895 (Sub No. 96), filed December 20, 1957, R. B. "DICK" WILSON, INC., East 45th Avenue at Jackson Street, Denver, Colo. Applicant's attorney: Marion F. Jones, Suite 526 Denham Building, Denver 2, Colo. For authority to operate as a common carrier, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from points in Wyoming to points in Utah. Applicant is authorized to transport similar commodities in Colorado, Kansas, Nebraska, South Dakota, Utah, and Wyoming.

HEARING: February 28, 1958, at the New Customs House, Denver, Colo., before Joint Board No. 280, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 10872 (Sub No. 24), filed January 9, 1958. Applicant: BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, Mo. Applicant's attorney: B. W. La Tourette, Jr., 1230 Boatmen's Bank Building, St. Louis 2, Mo. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plant site of the Olin Mathieson Chemical Corporation at or near Mapleton, Ill., as an off-route point in connection with applicant's authorized regular route operations between St. Louis, Mo., and Beloit, Wis., over Illinois Highways 29 and 116. Applicant is authorized to conduct operations in Illinois, Missouri, Oklahoma, and Wisconsin.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 17226 (Sub No. 13), filed December 12, 1957, FRUIT BELT MOTOR SERVICE, INC., 3909 West Harrison Street, Chicago 24, Ill. Applicant's attorney: Eugene L. Cohn, One North La Salle Street, Chicago 2, Ill. For authority to operate as a contract carrier, over irregular routes, transporting: Such commodities as are dealt in by department stores and mail order houses, from Chicago, Ill., to Cadillac, Mich.; and returned or rejected shipments of the commodities specified on return. Applicant is authorized to transport the com-

modities specified in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. **RESTRICTION:** Applied-for authority to be limited to shipments moving for or on behalf of Sears Roebuck and Co.

HEARING: March 3, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 73.

No. MC 34134 (Sub No. 2), filed December 17, 1957, HARRY J. HENSON, 240 Erie Street, Waverly, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: Household goods as defined by the Commission, and potted plants, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, between Waverly, N. Y., and points within 50 miles thereof, on the one hand, and, on the other, points in Maine, New York, Pennsylvania, New Jersey, Delaware, Maryland, Vermont, New Hampshire, Rhode Island, Massachusetts, Connecticut, Virginia, West Virginia, Ohio, Indiana, Michigan, and the District of Columbia. Applicant is authorized to conduct operations in Connecticut, Delaware, Indiana, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: March 10, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 34778 (Sub No. 4), filed December 2, 1957, COCHRAN TERMINAL AND TRANSPORTATION CO., a Corporation, 621 Adams Street, Hoboken, N. J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N. J. For authority to operate as a common carrier, over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, between points in Hudson, Essex, Bergen, Passaic, Middlesex, and Union Counties, N. J., on the one hand, and, on the other, Elizabeth, N. J. Applicant is authorized to transport the commodities specified in New Jersey and New York. **RESTRICTION:** Applied-for authority to be limited to transportation of commodities having a prior or subsequent movement by freight forwarders.

HEARING: March 5, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 35320 (Sub No. 48), filed November 14, 1957, T. I. M. E. INCORPORATED, 2604 Texas Avenue, Lubbock, Tex. Applicant's attorney: W. D. Benson, Jr., 1105 Great Plains Life Building, Lubbock, Tex. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of Sinclair Oil & Gas Company, Gas Products Plant No. 29, ten miles east, two miles north and one-half mile east

of Tatum, N. Mex., as an off-route point in connection with applicant's authorized regular route operations between Brownfield, Tex., and Hobbs, N. Mex.

HEARING: March 3, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 35320 (Sub No. 51), filed January 2, 1958. Applicant: T. I. M. E. INCORPORATED, 2804 Texas Avenue, Lubbock, Tex. Applicant's attorney: W. D. Benson, Jr., Suite 1105, Great Plains Life Building, Lubbock, Tex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, from Tucson, Ariz., to Lordsburg, N. Mex., from Tucson over U. S. Highway 80 to Benson, Ariz., thence over Arizona Highway 86 to the Arizona-New Mexico State line, thence over New Mexico Highway 14 via Steins, N. Mex., to junction U. S. Highway 80, and thence over U. S. Highway 80 to Lordsburg, and return over the same route, serving no intermediate points.

NOTE: Applicant states it is presently restricted from serving from Tucson, Ariz., to Lordsburg, N. Mex., on east bound traffic over the route applied for herein and the purpose of this application is to remove this restriction; that applicant does not seek to serve any point it is not now authorized to serve and does not seek to transport any commodity it is not now authorized to transport and that it does not seek duplicating authority.

HEARING: March 4, 1958, at the New Mexico State Corporation Commission, Santa Fe, New Mexico, before Joint Board No. 129, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 35628 (Sub No. 209), filed December 13, 1957, INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, Mich. Applicant's attorney: Leonard D. Verdier, Jr., 300 Michigan Trust Building, Grand Rapids 2, Mich. For authority to operate as a *common carrier*, transporting: *General commodities*, except Class A and B explosives, dangerous inflammables, household goods as defined by the Commission, and commodities in bulk (except scrap metal in bulk), serving Mapleton, Ill. (Peoria County), Ill., including the site of the Olin Mathieson Chemical Corporation plant, as off-route points in connection with applicant's authorized regular route operations between Chicago, Ill., and St. Louis, Mo. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 35628 (Sub No. 211), filed December 23, 1957, INTERSTATE MOTOR FREIGHT SYSTEM, a Corporation, 134 Grandville, Grand Rapids, Mich. Applicant's attorney: Leonard D. Verdier, Jr., 300 Michigan Trust Building, Grand Rapids 2, Mich. For authority to operate as a *common carrier*, transporting: *General commodities*, except Class A and B explosives, dangerous inflammables, household goods as defined by the Commission, and commodities in bulk (except scrap metal in bulk), serving the site of the Amoco Chemical Company plant located about four miles southeast of junction U. S. Highways 6 and 66, as an off-route point in connection with applicant's authorized regular route operations between Chicago, Ill., and St. Louis, Mo. Applicant is authorized to conduct operations in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, and the District of Columbia.

HEARING: March 4, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 35628 (Sub No. 212), filed December 30, 1957, INTERSTATE MOTOR FREIGHT SYSTEM, a Corporation, 134 Grandville SW., Grand Rapids, Mich. Applicant's attorney: Leonard D. Verdier, Jr., Michigan Trust Building, Grand Rapids 2, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except Class A and B explosives, dangerous inflammables, household goods as defined by the Commission, and commodities in bulk (except scrap metal in bulk), serving New Holland, Mountville, Bareville and Leola, Pa., as off-route points in connection with applicant's authorized regular route operations to and from Lancaster, Pa. Applicant is authorized to transport similar commodities in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, and the District of Columbia.

HEARING: February 25, 1958, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner James I. Carr.

No. MC 39414 (Sub No. 9), filed October 3, 1957, TYLER TRUCK LINES, INC., Oakfield, N. Y. Applicant's attorney: Robert V. Gianniny, 25 Exchange Street, Rochester 14, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Plaster accelerator, plaster and stucco aggregate, steel plastering arches, steel bead, iron and steel chammels, basement coal doors, building and roofing felt, plastering fibre, gypsum, insulating materials, wallboard joint system, kalsomine, gypsum lath, steel lathing and steel ribbing, and incidental accessory clips and fastenings therefor, lime; iron and steel nails, paint, building paper, plaster, plaster grounds, land plaster, plastering board, cold water putty, steel, expanded metal and incidental accessory clips and fastenings therefor, plaster retarder, common and*

silica sand, steel sash, window screens, casein sizing, acoustical ceiling and wall tile, blocks and slabs, fiberboard and pulpboard, wallboard, plaster wallboard, mineral wool, iron and steel wire, and gypsum tile, from Oakfield, N. Y., to points in Sullivan County, Pa. Applicant is authorized to transport similar commodities in New York and Pennsylvania.

HEARING: February 21, 1958, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N. Y., before Examiner Herbert L. Hanback.

No. MC 40978 (Sub No. 5), filed September 23, 1957, CHAIR CITY MOTOR EXPRESS COMPANY, 11th and Illinois Avenue, Sheboygan, Wis. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Caskets and/or burial cases, uncrated, from Sheboygan, Wis., to points in Illinois and Iowa.*

HEARING: February 27, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 111.

No. MC 41404 (Sub No. 14), filed January 8, 1958. Applicant: ARGO COLLIER TRUCK LINES CORPORATION, Fulton Highway, Martin, Tenn. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Frozen bakery products, frozen dinners and frozen soups, from Chicago, Ill., to points in Alabama, Georgia, Louisiana, Mississippi, and Tennessee. Applicant is authorized to conduct operations in Alabama, Connecticut, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Mississippi, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, and Wisconsin.*

HEARING: March 13, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 50069 (Sub No. 191), filed October 23, 1957, REFINERS TRANSPORT & TERMINAL CORPORATION, 2111 Woodward Avenue, Detroit 1, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products, in bulk, in tank vehicles, from points in the Chicago, Ill., Commercial Zone, to points in Indiana and the Lower Peninsula of Michigan. Applicant is authorized to transport similar commodities in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, and West Virginia.*

NOTE: Applicant states duplicating authority to be eliminated.

HEARING: March 3, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Illinois, before Joint Board No. 73.

No. MC 51146 (Sub No. 5), filed December 12, 1957, SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. Applicant's attorney: Edward A. Solie, 715 First National Bank Building, 1 South Pinckney Street, Madison 3, Wis. For authority to operate as a *common carrier*, over ir-

regular routes, transporting: *Paper and paper articles*, as described in Appendix XI to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, and *materials, equipment, and supplies* used or useful in the manufacture of paper and paper articles, between Cheboygan, Mich., and Green Bay, Wis. Applicant is authorized to conduct operations in Michigan and Wisconsin.

HEARING: March 3, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 95, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 52458 (Sub No. 143), filed December 6, 1957, T. I. McCORMACK TRUCKING COMPANY, INC., U. S. Route 9, Woodbridge, N. J. Applicant's attorney: John T. Hildemann, U. S. Route 9, P. O. Box 457, Woodbridge, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Dry sugar*, in bulk, between Yonkers and New York, N. Y., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, and Pennsylvania. Applicant is authorized to transport liquid sugar, and similar commodities in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont.

HEARING: March 6, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 55873 (Sub No. 25), filed January 6, 1958. Applicant: GREAT AMERICAN TRANSPORT, INC., 347 23d Street, Detroit 16, Mich. Applicant's attorney: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over regular routes, transporting: *Meats, packing-house products, and commodities used by packing houses*, between Bushnell, Ill., and Peoria, Ill., from Bushnell over Illinois Highway 9 to junction U. S. Highway 24, thence over U. S. Highway 24 to Peoria, and return over the same route, serving no intermediate points. Applicant is authorized to transport commodities other than those specified herein in Illinois, Indiana, Michigan, and Ohio.

HEARING: February 28, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 55873 (Sub No. 26), filed January 8, 1958. Applicant: GREAT AMERICAN TRANSPORT, INC., 347 23d Street, Detroit 16, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, other than small arms ammunition, household goods as defined by the Commission, and liquids in bulk, in tank vehicles, serving the site of the Olin Mathieson Chemical Corporation plant located near Mapleton, Ill., as an off-route point in connection with applicant's authorized regular route operations between Pekin, Ill., and Kentland, Ind. Applicant is authorized to conduct similar operations in Illinois, Indiana, Michigan, and Ohio.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 56082 (Sub No. 23), filed October 25, 1957, DAVIS & RANDALL, INC., Chautauqua Road, Fredonia, N. Y. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Malt beverages*, from New York, N. Y., to points in Pennsylvania, and *empty malt beverage containers* on return. Applicant is authorized to transport similar commodities in Kentucky, New Jersey, New York, Ohio, Pennsylvania, and West Virginia.

HEARING: February 21, 1958, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N. Y., before Examiner Herbert L. Hanback.

No. MC 56887 (Sub No. 5), filed December 5, 1957, JESS EDWARDS, INC., P. O. Box 2287, Corpus Christi, Tex. Applicant's attorney: Thomas E. James, P. O. Box 858, Brown Building, Austin 1, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Machinery, equipment, materials and supplies* used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products; and (2) *machinery, materials, equipment and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of all kinds of pipelines, including the stringing and picking up thereof, between points in New Mexico on and north of U. S. Highway 60. Applicant is authorized to conduct operations in Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Oklahoma, Texas, Utah, and Wyoming.

HEARING: March 10, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 60393 (Sub No. 14), filed October 14, 1957, CENTRAL TRANSFER COMPANY, 2118 South Griswold Street, Peoria, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Sheffield, Ill., and Chicago, Ill., from Sheffield over U. S. Highway 34 to Chicago, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois, Wisconsin, Minnesota, and Iowa.

NOTE: Applicant states that service over this route is to be restricted against the transportation of traffic moving between

points in the Chicago Commercial Zone, on the one hand, and, on the other, points in the Davenport-Rock Island Commercial Zone.

HEARING: March 4, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 21.

No. MC 63290 (Sub No. 7), filed December 10, 1957, WILLIAM O. MATTOX, doing business as MATTOX CHEMICAL TRANSPORT, 418 Grove Street, Newark, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Molasses* as is used for the manufacture of yeast, in bulk, in tank vehicles, from New York, N. Y., and Philadelphia, Pa., to the site of the Anheuser-Busch, Inc., plant at Old Bridge, N. J. Applicant is authorized to conduct operations in New Jersey, New York, and Pennsylvania.

HEARING: March 5, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 64932 (Sub No. 234), filed December 11, 1957, ROGERS CARTAGE CO., a Corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid chemicals, glues and resins*, in bulk, in tank vehicles, from Aurora, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. Applicant is authorized to conduct similar operations in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin.

HEARING: March 5, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 66539 (Sub No. 11), filed November 1, 1957, PHIL KRASS AND MARY KRASNOWSKI, doing business as L. L. & C. COMPANY, 4535 North Kedzie Avenue, Chicago 25, Ill. Applicant's representative: George S. Mullins, 4707 West Irving Park Road, Chicago 41, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Women's foundation garments and apparel*, (1) between Chicago, Ill., Aurora and Monmouth, Ill., and Beatrice and Crete, Nebr.; (2) between Aurora, Ill., and Beatrice and Crete, Nebr.; (3) between Monmouth, Ill., and Beatrice and Crete, Nebr.; and (4) between Aurora, Ill., and Monmouth, Ill. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, New York, and Pennsylvania.

HEARING: March 12, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 66886 (Sub No. 7), filed November 14, 1957, BELGER CARTAGE SERVICE, INC., 2100 Walnut Street, Kansas City 8, Mo. Applicant's attorney: Ernest A. Brooks II, 1301 Ambassador

Building, St. Louis 1, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Commodities* (except pipe stringing, machinery, equipment and supplies incidental to and used in connection with the construction, dismantling and repairing of pipelines), the transportation of which because of size, weight, or shape, require the use of special equipment or special handling, between points in Missouri, on the one hand, and, on the other, points in Arkansas and Louisiana. Applicant is authorized to conduct operations in Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Texas.

HEARING: March 13, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 302.

No. MC 68909 (Sub No. 52), filed October 22, 1957, DECATUR CARTAGE CO., 1932 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, except livestock, Class A and B explosives, inflammables, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the B. F. Goodrich Chemical Company Plant, located approximately two miles northeast of Henry, Ill., as an off-route point in connection with applicant's authorized regular route operations between La Salle, Ill., and Princeton, Ill., over U. S. Highway 6. Applicant is authorized to conduct operations in Illinois, Indiana, Missouri, and Ohio.

HEARING: February 25, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 68909 (Sub No. 53), filed October 22, 1957, DECATUR CARTAGE COMPANY, a Corporation, 1932 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, except livestock, Class A and B explosives, inflammables, commodities in bulk, household goods as defined by the Commission, and those requiring special equipment, serving the site of the Amoco Chemical Company plant, located approximately four (4) miles southeast of junction U. S. Highways 6 and 66, near Joliet, Ill., as an off-route point in connection with applicant's authorized regular route operations between Joliet, Ill., and La Salle, Ill., over U. S. Highway 6. Applicant is authorized to conduct operations in Illinois, Indiana, Missouri and Ohio.

HEARING: February 25, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 68909 (Sub No. 54), filed November 27, 1957, DECATUR CARTAGE COMPANY, a Corporation, 1932 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General com-*

modities, except livestock, Class A and B explosives, inflammables, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Salisbury, Ill., as an off-route point in connection with applicant's authorized regular route operations between Canton, Ill., and St. Louis, Mo., between Peoria, Ill., and Staunton, Ill., and between Ripley, Ill., and Vandalia, Ill.

HEARING: February 25, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 68909 (Sub No. 55), filed November 27, 1957, DECATUR CARTAGE COMPANY, a Corporation, 1932 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, except livestock, Class A and B explosives, inflammables, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Forest Products Division of Olin Mathieson Chemical Corporation plant located approximately four miles southeast of the junction of U. S. Highways 6 and 66, as an off-route point in connection with applicant's authorized regular route operations between Joliet, Ill., and La Salle, Ill., over U. S. Highway 6. Applicant is authorized to conduct operations in Illinois, Indiana, Missouri, and Ohio.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 69116 (Sub No. 40), filed January 8, 1958. Applicant: SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment other than refrigeration, serving the site of the Olin Mathieson Chemical Corporation plant located near Mapleton, Ill., as an off-route point in connection with applicant's authorized regular route operations between Quincy, Ill., and New York, N. Y., over U. S. Highway 24. Applicant is authorized to conduct similar operations in Connecticut, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Wisconsin, and the District of Columbia.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 69116 (Sub No. 42), filed January 9, 1958. Applicant: SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, except

those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the site of the Forest Products Division of Olin Mathieson Chemical Corporation plant located approximately four miles southeast of the junction of U. S. Highways 66 and 6, as an off-route point in connection with applicant's authorized regular route operations between Topeka, Kans., and Chicago, Ill., over U. S. Highway 66. Applicant is authorized to transport similar commodities in Connecticut, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Wisconsin, and the District of Columbia.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 70451 (Sub No. 197), filed December 23, 1957, WATSON BROS. TRANSPORT CO., INC., 1523 March Street, Omaha, Nebr. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, transporting: *General commodities*, including Class A and B explosives, but excepting commodities of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, serving the site of the Olin Mathieson Chemical Corporation plant located near Mapleton, Ill., as an off-route point in connection with applicant's authorized regular route operations (1) between Peoria, Ill., and Omaha, Nebr., and (2) between points in Cook County, Ill., and points in Buchanan, Andrew, Nodaway, Worth, Gen. try, Harrison, and DeKalb Counties, Mo., and Taylor and Page Counties, Iowa. Applicant is authorized to transport similar commodities in Arizona, California, Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, and Wyoming.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 72285 (Sub No. 9), filed November 18, 1957, MOTOR TRANSPORT COMPANY, a Corporation, 4101 West Blue Mound Road, Milwaukee, Wis. Applicant's attorney: Adolph J. Bieberstein, 121 West Doty Street, Madison 3, Wis. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, (1) from Oconomowoc, Wis., to Mayville, Wis., over Wisconsin Highway 67 and return over the same route; and (2) from the junction of Wisconsin Highway 109 and U. S. Highway 16 at Watertown, Wis., to the junction of Wisconsin Highways 109 and 67, over Wisconsin Highway 109, and return over

the same route, serving the intermediate points of Ashippun, Monterey, Neosho, Woodland, Iron Ridge, Mayville, Hustisford, and Lebanon, Wis. Applicant is authorized to transport the commodities specified in Illinois and Wisconsin.

NOTE: Applied for intermediate point of Hustisford is an intermediate point on applicant's authorized alternate route between Juneau and Hartford, Wis.

HEARING: February 28, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 96, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 73262 (Sub No. 10), filed December 30, 1957, **MERCHANTS FREIGHT SYSTEM, INC.**, 1401 North 13th Street, Terre Haute, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving the site of the Anti-Freeze Formulating and Packaging plant of the Olin Mathieson Chemical Corporation located approximately one mile southeast of Mapleton, Ill., in connection with applicant's authorized regular route operations between Paris, Ill., and Peoria, Ill.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 74721 (Sub No. 60), filed December 23, 1957, **MOTOR CARGO, INC.**, 1540 West Market Street, Akron 13, Ohio. Applicant's attorney: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington 6, D. C. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving New Holland, Leola, and Bareville, Pa., as off-route points in connection with applicant's authorized regular route operations between Canton, Ohio, and Philadelphia, Pa., over U. S. Highway 30. Subject to the restriction that no transportation shall be performed between any one of the three off-route points named above and any other point located east of a line drawn through Buffalo, N. Y., Pittsburgh, Pa., and Charleston, W. Va. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Maryland, Minnesota, Missouri, New Jersey, Ohio, Pennsylvania, Wisconsin and the District of Columbia.

HEARING: February 25, 1958, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner James I. Carr.

No. MC 76032 (Sub No. 114), filed October 2, 1957, **NAVAJO FREIGHT LINES, INC.**, 1205 South Platte River Drive, Denver 23, Colo. Applicant's attorney: O. Russell Jones, 54½ East San Francisco Street, Southwest Corner

Plaza, Santa Fe, N. Mex. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, but including those that require refrigeration, serving points within the Navajo and Hopi Reservations in the States of Arizona, New Mexico, Utah, and Colorado, excepting points on U. S. Highway 666 between junction U. S. Highway 666 and New Mexico Highway 68, and Shiprock, N. Mex., including Shiprock, as off-route points in connection with carrier's authorized regular route operations between Gallup, N. Mex., and Window Rock, Ariz., over U. S. Highway 666, New Mexico Highway 68 and unnumbered highways. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, and Texas.

HEARING: March 5, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Examiner Frank R. Saltzman.

No. MC 76032 (Sub No. 117), filed November 22, 1957, **NAVAJO FREIGHT LINES, INC.**, 1205 South Platte River Drive, Denver, Colo. Applicant's attorney: O. Russell Jones, P. O. Box 1437, Santa Fe, N. Mex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, including Class A and B explosives, but excluding articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Roswell, N. Mex., and Hobbs, N. Mex., from Roswell over U. S. Highway 380 to junction New Mexico Highway 18 at or near Tatum, N. Mex., thence over New Mexico Highway 18 to Hobbs, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, and Texas.

HEARING: March 13, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 76032 (Sub No. 118), filed December 3, 1957, **NAVAJO FREIGHT LINES, INC.**, 1205 S. Platte River Drive, Denver 23, Colo. Applicant's attorney: O. Russell Jones, 54½ East San Francisco Street, Southwest Corner Plaza, Santa Fe, N. Mex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, livestock, commodities in bulk (not including those requiring refrigeration), household goods as defined by the Commission, and commodities injurious or contaminating to other lading, between Walsenburg, Colo., and Santa Fe, N. Mex., from Walsenburg over U. S. Highway 160 to Alamosa, Colo., thence over U. S. Highway 285 to Santa Fe, and return over

the same route, serving no intermediate points, but serving the off-route point of the Petaca Mine site operated by the Minerals Engineering Company, located approximately thirteen (13) miles north of junction U. S. Highway 285 and New Mexico Highway 111 Near Ojo Caliente, N. Mex. **RESTRICTION:** The service to be performed over the above route shall be subject to the restrictions contained in applicant's authorized regular route authority between Denver, Colo., and Albuquerque, N. Mex., in which service to the off-route point of Zia project (Los Alamos, N. Mex.), is restricted to traffic moving to or from points beyond Santa Fe, N. Mex. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, and Texas.

NOTE: Applicant presently holds authority between Walsenburg, Colo., and Santa Fe, N. Mex., as an alternate route for operating convenience only, over the route described above. Applicant states that since a carrier cannot service off-route points from an alternate route for operating convenience only, it is necessary that it seek to turn the pertinent route into a service route, although it does not actually seek to serve intermediate points, but only an off-route point. Duplication with present authority to be eliminated.

HEARING: March 12, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 125, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 76065 (Sub No. 10), filed December 24, 1957, **EHRlich-NEWMARK TRUCKING CO., INC.**, 254 West 35th Street, New York 1, N. Y. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Garments and materials and supplies* used in or in connection with the manufacture of garments, between Hagerstown, Md., on the one hand, and, on the other, Reading and Philadelphia, Pa. Applicant is authorized to transport similar commodities in Delaware, Maryland, New Jersey, New York, Pennsylvania, West Virginia, and the District of Columbia.

HEARING: February 27, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Dallas B. Russell.

No. MC 79476 (Sub No. 15), filed January 9, 1958. Applicant: **YOUNGS MOTOR TRUCK SERVICE, INC.**, 10 Grosvenor Street, Taunton, Mass. Applicant's representative: Russell B. Current, 49 Weybosset Street, Providence, R. I. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sand*, abrasive or foundry, in bulk, from Coventry R. I., and points in Barnstable and Plymouth Counties, Mass., to points in Connecticut, Massachusetts, and Rhode Island. Applicant is authorized to conduct operations in Connecticut, Maine, Massachusetts, New York, and Rhode Island.

HEARING: March 13, 1958, in Room 308, Main Post Office Building, Providence, R. I., before Joint Board No. 134, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 82266 (Sub No. 8), filed November 25, 1957, RALPH H. HOWARD, doing business as MAIN LINE HAULING COMPANY, St. Clair, Mo. Applicant's attorney: Joseph R. Macy, 117 West High Street, Jefferson City, Mo. For authority to operate as a common carrier, over regular routes, transporting: *General commodities including commodities in bulk*, but excepting those of unusual value, Class A and B explosives, household goods as defined by the Commission, and those requiring special equipment, (1) between Sullivan, Mo., and Bixby, Mo. from Sullivan over U. S. Highway 66 to junction Missouri Highway 19, thence over Missouri Highway 19 to junction Missouri Highway 49, thence over Missouri Highway 49 to junction Missouri Highway 32, thence over Missouri Highway 32 to Bixby, and return over the same route, serving the intermediate point of Viburnum, Mo., and the off-route point of mine sites and mills of the St. Joseph Lead Company at or near Viburnum and Bixby, Mo.; (2) between the Kansas City, Mo.-Kansas City, Kans., Commercial Zone and Bixby, Mo., from the Kansas City, Mo.-Kansas City, Kans., Commercial Zone over U. S. Highway 50 to junction U. S. Highway 63, thence over U. S. Highway 63 to junction U. S. Highway 66, thence over U. S. Highway 66 to junction Missouri Highway 19, thence over Missouri Highway 19 to junction Missouri Highway 39 to junction Missouri Highway 32, thence over Missouri Highway 32 to Bixby, and return over the same route, serving the intermediate point of Viburnum, Mo., and the off-route points of mine sites and mills of the St. Joseph Lead Company at or near Viburnum and Bixby, Mo.; with authority to tack the said routes to those already held by applicant in order to perform through service between such points and those already authorized to be served. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: March 12, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 36.

No. MC 83217 (Sub No. 7), filed September 30, 1957, DAKOTA EXPRESS, INC., Wilson Terminal Building, P. O. Box 533, Sioux Falls, S. Dak. Applicant's attorney: H. Lauren Lewis, Wilson Terminal Building, P. O. Box 747, Sioux Falls, S. Dak. For authority to operate as a common carrier, over irregular routes, transporting: *Frozen animal food*, from Sioux Falls, S. Dak., to points in Wisconsin other than incorporated cities. Applicant is authorized to conduct operations between specified points in South Dakota, Minnesota, North Dakota, Nebraska, and Iowa.

HEARING: February 24, 1958, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 303, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 83539 (Sub No. 31), filed December 3, 1957, C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P. O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City 2, Okla. For authority to operate as a common carrier, over irregular routes, transporting: (1) *Tractors*, (other than conventional truck tractors), *tractor tool bars and tractor attachments*; (2) *construction machinery and equipment*, as defined by the Commission in Appendix VIII to MC 45, 61 M. C. C. 286; (3) *internal combustion engines*, and *empty engine containers or nacelles*; (4) *heavy machinery and attachments*; (5) *commodities*, the loading, unloading or transportation of which, because of size, weight, or shape, require the use of special equipment, special rigging, or special handling; (6) *parts and accessories of commodities* described in Items 1 through 5 (inclusive) above, when moving with shipments of such commodities; (7) *machinery, equipment, materials and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products; and (8) *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipe lines, between points in Tennessee, Illinois, Indiana, Wisconsin, Ohio, Iowa, Minnesota, Michigan, and Pennsylvania, on the one hand, and, on the other, points in Washington, Oregon, Idaho, Arizona, California, and Nevada. Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, Wisconsin, and Wyoming.

HEARING: March 17, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 93884 (Sub No. 1), filed October 9, 1957, E. B. CUMBIE, doing business as B & C TANKERS, INC., P. O. Box 626, 1700 Garden City Highway, Midland, Tex. For authority to operate as a common carrier, over irregular routes, transporting: *Well-treating oil*, *green oil* or *sandfrac oil*, in bulk, in tank vehicles, from refineries in Mitchell and Howard Counties, Tex., to oilfield locations in Eddy, Lea, and Otero Counties, N. Mex., when moving as oilfield equipment and supplies. Applicant is authorized to transport Oil field equipment and supplies between points in Loving, Ward, and Winkler Counties, Tex., and Lea, Eddy, and Otero Counties, N. Mex.

HEARING: March 14, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 33, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 99023, NORTHERN TIER EXPRESS, INC., 359 E. Southern Ave., Williamsport, Pa. Assigned for hearing to determine whether Northern Tier Express, Inc. is engaged in operations in interstate or foreign commerce under the second proviso of section 206 (a) (1), Interstate Commerce Act, solely within the State of Pennsylvania, or whether it is under common management or control with H. W. Taynton Company, Inc.

HEARING: February 27, 1958, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner James I. Carr.

No. MC 101458 (Sub No. 21), filed November 14, 1957, NATIONAL CARTAGE CO., a Corporation, 1017 West 48th Street, Chicago, Ill. Applicant's attorney: Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis 4, Ind. For authority to operate as a common carrier, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Gary, Ind., and South Bend, Ind., over U. S. Highway 20, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Chicago, Ill., and South Bend, Ind., between Joliet, Ill., and Elkhart, Ind., and between South Bend, Ind., and La Porte, Ind. (2) (a) Between Michigan City, Ind., and La Porte, Ind., over U. S. Highway 35, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between South Bend, Ind., and La Porte, Ind., between Chicago, Ill., and South Bend, Ind., and between Joliet, Ill., and Elkhart, Ind. (2) (b) Between Michigan City, Ind., and junction U. S. Highways 35 and 20, over U. S. Highway 35, serving no intermediate points, serving the termini for purposes of joinder only, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Chicago, Ill., and South Bend, Ind., and between Chicago, Ill., and Dowagiac, Mich., and the alternate route proposed in (1) above. (3) Between Chicago Heights, Ill., and Valparaiso, Ind., over U. S. Highway 30, serving no intermediate points as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Chicago and Chicago Heights, Ill., and between Joliet, Ill., and Elkhart, Ind.

HEARING: March 4, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 21.

No. MC 103435 (Sub No. 78), filed September 30, 1957, BUCKINGHAM TRANSPORTATION, INC., Omaha and West Boulevard, Rapid City, S. Dak. Applicant's attorney: Marion F. Jones, Suite 526 Denham Building, Denver 2, Colo. For authority to operate as a common carrier, over irregular routes, transporting: *Sugar*, from Rapid City, S. Dak., to points in Minnesota on, south, and west of a line extending from

the South Dakota-Minnesota State line over U. S. Highway 212 to Minneapolis, Minn., and thence over U. S. Highway 65 to the Minnesota-Iowa State line, and to points in South Dakota. In Certificate No. MC 103435 (Sub No. 57) applicant is authorized the above-specified authority restricted to shipments originating in Montana. The purpose of this application is to eliminate the restriction to shipments originating in Montana in Certificate No. MC 103435 (Sub No. 57).

HEARING: February 24, 1958, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 26, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 103880 (Sub No. 180), filed November 6, 1957, PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a common carrier, over irregular routes, transporting: *Liquid polishing compounds*, in bulk, in tank vehicles, from Racine, Wis., to Hobart, Ind. Applicant is authorized to conduct operations in Indiana, Michigan, Ohio, Illinois, Wisconsin, Kentucky, Missouri, West Virginia, Pennsylvania, Iowa, New York, Virginia, Connecticut, Massachusetts, Kansas, Minnesota, Tennessee, Arkansas, Mississippi, North and South Carolina, Alabama, Florida, Georgia, Louisiana, Oklahoma, and Texas.

HEARING: February 27, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 17.

No. MC 103880 (Sub No. 182), filed December 12, 1957, PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a common carrier, over irregular routes, transporting: *Petroleum products and chemicals*, in bulk, in tank vehicles, (1) from Madison, Ind., to points in Tennessee, West Virginia, Georgia, Michigan, Illinois, Alabama, Pennsylvania, and New York; and (2) from East Liverpool, Ohio to points in Tennessee, West Virginia, Kentucky, Illinois, Indiana, Pennsylvania, New York, Georgia, Michigan, and Alabama. Applicant is authorized to conduct operations in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

Note: Duplication with present authority to be eliminated.

HEARING: March 12, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 105265 (Sub No. 38), filed October 28, 1957, DENVER-AMARILLO RED BALL MOTOR FREIGHT, INC., P. O. Box 3148, Dallas, Tex. Applicant's

attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. For authority to operate as a common carrier, transporting: *General commodities, including Class A and B explosives*, and except commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Koehler, N. Mex., located approximately five (5) miles west of U. S. Highway 64 and 23 miles southwest of Raton, N. Mex., as an off-route point in connection with applicant's authorized regular route operations (1) between Pueblo, Colo., and Amarillo, Tex., and (2) between Raton, N. Mex., and Taos, N. Mex., in Certificate No. MC 105265.

HEARING: March 3, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 105269 (Sub No. 22), filed December 23, 1957, GRAFF TRUCKING COMPANY, INC., 2110 Lake Street, Box 986, Kalamazoo, Mich. Applicant's attorney: Kit F. Clardy, Old Tower, Lansing, Mich. For authority to operate as a common carrier, over irregular routes, transporting: *Roofing, roofing, building and insulating materials, fibre and asbestos products and articles* including but not limited to conduit or pipe made from cement containing asbestos fibre, and parts and materials used in the attachment, installation or use of all such products or commodities, from Chicago, Chicago Heights, Joliet, Waukegan, and Marseilles, Ill., and Whiting, Ind., to points in the Lower Peninsula of Michigan. Applicant is authorized to transport similar commodities in Illinois, Indiana, Michigan, and Missouri.

Note: Applicant states this application has been filed to substitute common language for those portions of its certificates dealing only with roofing and building materials and insulation, and seeks an extension of authority which will both add new language and consolidate present grants of authority.

HEARING: March 5, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 73.

No. MC 106223 (Sub No. 42), filed December 23, 1957, GREENLEAF MOTOR EXPRESS, 4606 State Avenue, Ashtabula, Ohio. Applicant's attorney: Edwin C. Reminger, Standard Building, Cleveland 13, Ohio. For authority to operate as a common carrier, over irregular routes, transporting: *Liquid latex*, in bulk, in tank vehicles, from Louisville, Ky., to points in New Hampshire. Applicant is authorized to transport similar commodities in Connecticut, Illinois, Indiana, Kentucky, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, and Wisconsin.

Note: Applicant states no duplicating authority is sought.

HEARING: February 26, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner David Waters.

No. MC 106398 (Sub No. 94), filed December 12, 1957, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa 15, Okla. (Mailing address: Box 8096 Dawson Station), Tulsa, Okla. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Minneapolis 8, Ind. For authority to operate as a common carrier, over irregular routes, transporting: *Boats*, from Niles, Mich., and points within 10 miles thereof, and from points in Florida, Nevada, and Arizona to points in the United States. Applicant is authorized to conduct operations throughout the United States.

HEARING: March 10, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 106943 (Sub No. 62), filed December 16, 1957, EASTERN EXPRESS, INC., 128 Cherry Street, P. O. Box 328, Terre Haute, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. For authority to operate as a common carrier, transporting: *General commodities, except Class A and B explosives, livestock, grain, petroleum products in bulk, household goods as defined by the Commission, and commodities requiring special equipment*, serving Bareville, Leola, Mountville, and New Holland, Pa., as off-route points in connection with applicant's authorized regular route operations to and from Lancaster, Pa., restricted to traffic moving to or from points west of the Ohio-Pennsylvania State line. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, and West Virginia.

HEARING: February 25, 1958, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner James I. Carr.

No. MC 107513 (Sub No. 3), filed December 24, 1957, GEORGE M. REED, R. D. No. 1, East Earl, Lancaster County, Pa. Applicant's attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a common carrier, over irregular routes, transporting: *Stone*, from points in Lancaster County, Pa., to points in New Jersey, Delaware, and Maryland. Applicant is authorized to transport pulverized limestone and sand in Delaware, Maryland, and Pennsylvania.

HEARING: February 25, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William E. Messer.

No. MC 107757 (Sub No. 14), filed December 20, 1957, M. C. SLATER, INC., 1129 Bremen Avenue, St. Louis, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. For authority to operate as a common carrier, transporting: *General commodities, serving Mapleton (Peoria County), Ill.*, as an off-route point in connection with applicant's authorized regular route operations to and from Peoria, Ill. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal

Street, Chicago, Ill., before Joint Board No. 149.

No. MC 108461 (Sub No. 62), filed November 25, 1957. Applicant: WHITFIELD TRANSPORTATION, INC., 240 West Amador Street, Las Cruces, N. Mex. Applicant's attorney: Loyal G. Kaplan, Suite 924 City National Bank Building, Omaha 2, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cement*, in sacks, from the site of the Ideal Cement Company's plant near Tijeras, N. Mex. (located approximately 16 miles east of Albuquerque, N. Mex., and south of U. S. Highway 66) to points in Colorado, Texas, Arizona, and Utah. Applicant is authorized to transport similar commodities in the states specified.

HEARING: March 6, 1958, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Examiner Frank R. Saltzman.

No. MC 108586 (Sub No. 43) filed December 10, 1957, STEFFKE FREIGHT CO., a Corporation, Box 990, 204 South Bellis Street, Wausau, Wis. Applicant's attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Drain oil* (reclaimed motor oil), in bulk, in tank vehicles, from Beaver Dam, Wis., to Lyons, Ill. Applicant is authorized to conduct similar operations in Michigan and Wisconsin.

HEARING: February 28, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 13.

No. MC 109425 (Sub No. 10), filed December 16, 1957, LEVITAN INTERSTATE TRANSPORT, INC., 670 Sayre Avenue, Perth Amboy, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Wearing apparel*, from Philadelphia, Pa., Dover, Boonton, and Newton, N. J., and points in Passaic, Essex, Hudson, Bergen, Union, and Middlesex Counties, N. J., to points in Westchester County, N. Y., and returned, *refused or rejected shipments* of wearing apparel on return. Applicant is authorized to conduct operations in New Jersey, New York, and Pennsylvania.

HEARING: March 7, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 109947 (Sub No. 21), filed November 18, 1957, WARSAW TRUCKING CO., INC., R. R. No. 5, Warsaw, Ind. Applicant's attorney: Robert A. Sullivan, 2606 Guardian Building, Detroit 26, Mich. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Rough iron and machine castings*, from Warsaw, Ind., to Burlington, Iowa; and *rejected or damaged shipments* of the commodities specified on return. Applicant is authorized to transport similar commodities in Illinois, Indiana, Ohio, and Pennsylvania.

HEARING: February 27, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 53.

No. MC 110505 (Sub No. 35), filed December 12, 1957, RINGLE TRUCK

LINE, INC., 601 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *agricultural machinery, agricultural implements*, as defined in Description in Motor Carrier Certificates Ex Parte No. MC-45, Appendix XII, including *self-propelled forage harvesters, and agricultural machinery, agricultural implements, and self-propelled forage harvester parts* when moving in the same vehicle therewith, from West Bend, Wis., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, Ohio, and Tennessee, and *damaged or rejected shipments* of the commodities specified in this application, from the above destination territory to West Bend, Wis. Applicant is authorized to transport similar commodities in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Tennessee, and Wisconsin.

HEARING: March 11, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 110698 (Sub No. 90), filed December 19, 1957, MILLER MOTOR LINE OF NORTH CAROLINA, INC., J. ARCHIE CANNON, JR., SUCCESSOR TRUSTEE, P. O. Box 457, Winston Road, Greensboro, N. C. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Wax*, in bulk, in tank vehicles, from Bayonne, N. J., and Philadelphia and Marcus Hook, Pa., to points in Virginia, North Carolina, South Carolina, Georgia, and West Virginia. Applicant is authorized to conduct operations in Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia.

HEARING: March 11, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 110988 (Sub No. 46), filed November 25, 1957, KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's attorney: Edward A. Solie, 715 First National Bank Building, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Phosphoric acid*, in bulk, in tank vehicles, from Chicago and Chicago Heights, Ill., to points in Wisconsin, Michigan, Indiana, Ohio, Minnesota, Iowa, Kentucky, Nebraska, Missouri, North Carolina, Oklahoma, Texas, and Alabama; *Spent phosphoric acid*, in bulk, in tank vehicles, between points in Illinois, Wisconsin, Michigan, Indiana, Ohio, Minnesota, Iowa, Kentucky, Nebraska, Missouri, North Carolina, Oklahoma, Texas, and Alabama; and *Dry acids and chemicals*, in bulk, in hopper vehicles, between Chicago and Chicago Heights, Ill., on the one hand, and, on the other, points in Wisconsin, Michigan, Indiana, Ohio, Minnesota, Iowa, Kentucky, Ne-

braska, Missouri, North Carolina, Oklahoma, Texas, and Alabama. Applicant is authorized to conduct operations in Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

NOTE: Applicant states that no authority is sought to transport between points within any one State and that it agrees to elimination of duplicating authority.

HEARING: March 4, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 111002 (Sub No. 12), filed December 23, 1957, CLARA MILES SCHREYER, FRANCES H. MILES and THOMAS M. MILES, doing business as T. M. MILES OIL COMPANY, a Partnership, 306 Railroad Avenue, Milton, Pa. Applicant's attorney: Preston B. Davis, 37 Arch Street, Milton, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Potassium silicate*, in bulk, in specially built shipper-owned semi-tank vehicles, from Towanda, Pa., to Hawthorne, N. J., Yonkers, N. Y., and Chicago, Ill.; and empty shipper-owned semi-tank vehicles, on return. Applicant is authorized to transport the commodity specified in Indiana, Massachusetts, Michigan, New Jersey, New York, Ohio, and Pennsylvania.

HEARING: February 25, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Michael B. Driscoll.

No. MC 111401 (Sub No. 86), filed December 9, 1957, GROENDYKE TRANSPORT, INC., 2204 North Grand, Enid, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in New Mexico on, north, and not more than ten miles south of U. S. Highway 66 to points in Texas on and north of U. S. Highway 66 and to all points in Oklahoma. Applicant is authorized to transport the commodities specified in Colorado, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

HEARING: February 25, 1958, at the New Mexico State Corporation, Santa Fe, N. Mex., before Joint Board No. 210.

No. MC 112713 (Sub No. 72), filed December 23, 1957, YELLOW TRANSIT FREIGHT LINES, INC., 1626 Walnut Street, Kansas City 8, Mo. Applicant's attorney: John M. Records, same address applicant. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Olin Mathieson Chemical Corporation plant, located approximately one mile southeast of the city limits of Mapleton, Peoria County, Ill., as an off-route point in connection with applicant's authorized regular route operations to and from Peoria, Ill. Applicant is authorized to conduct operations in Illinois, Indiana, Kansas, Ken-

tucky, Michigan, Missouri, Ohio, Oklahoma, and Texas.

HEARING: March 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 112908 (Sub No. 2), filed January 3, 1958, **KINGSWAY TRANSPORTS LIMITED**, a Corporation, P. O. Box 1220, 3540 St. Patrick Street, Montreal, Quebec, Canada. Applicant's attorney: S. Harrison Kahn, 726 Investment Building, Washington, D. C. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between New York, N. Y., and Niagara Falls, N. Y., from New York over approach highways and roads to New York Thruway, thence over New York Thruway to approach roads and highways at Niagara Falls, thence over approach roads and highways to Niagara Falls, and return over the same route, serving all intermediate points and off-route points in New York and New Jersey within fifteen miles of New York City. **RESTRICTION:** Applied-for authority to be limited to shipments originating at or destined to points in Canada.

HEARING: February 12, 1958, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N. Y., before Examiner Joseph M. Zurlo.

No. MC 113388 (Sub No. 20), filed December 20, 1957, **LESTER C. NEWTON TRUCKING CO.**, a Corporation, Box 265, Bridgeville, Del. Applicant's attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Roofing, siding, roofing and siding material, and insulating materials*, (a) from East Walpole, Mass., to points in Delaware on and north of U. S. Highway 40, and Washington, D. C.; (b) from Phillipsdale, R. I., to points in Delaware, Washington, D. C. and that part of Maryland and Virginia south of U. S. Highway 40 and east of the Chesapeake Bay. (2) *Empty pallets*, from points in Delaware on and north of U. S. Highway 40, and Washington, D. C., to East Walpole, Mass. (3) *Empty pallets*, from points in Delaware, Washington, D. C., and that part of Maryland and Virginia on and south of U. S. Highway 40 and east of the Chesapeake Bay to Phillipsdale, R. I. Applicant is authorized to conduct similar operations in Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

HEARING: February 27, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Lucian A. Jackson.

No. MC 113396 (Sub No. 5), filed January 2, 1958, **NADEAU TRANSPORTS, LTD.**, 8 Academic Street, Danville, Quebec, Canada. Applicant's attorney: S. Harrison Kahn, 726 Investment Building, Washington, D. C. For authority to operate as a *common or contract carrier*, over irregular routes,

transporting: *Ground wood pulp*, in bulk, from ports of entry on the United States-Canada International Boundary at or near Norton Mills and Derby Line, Vt., Rouses Point, Champlain and Trout River, N. Y., and at the junction of Maine Highway 27 with said boundary, to points in New York, Vermont, New Hampshire, Maine, Massachusetts, and Connecticut; and *pulpboard*, in rolls, from Groveton, Vt., to ports of entry on the United States-Canada International Boundary at Norton Mills, Vt. Applicant is authorized to transport ground wood pulp in Maine, Massachusetts, New Hampshire, New York and Vermont.

NOTE: Applicant has a pending BOR-96 application on file and if said pending application is granted prior to hearing on this application, this application should be construed as one in which applicant seeks common carrier authority. No duplicating authority is requested.

HEARING: March 10, 1958, at the Washington County Court House, Montpelier, Vt., before Examiner Herbert L. Hanback.

No. MC 113843 (Sub No. 18), filed November 18, 1957, **REFRIGERATED FOOD EXPRESS, INC.**, 8 Commonwealth Pier, Boston 10, Mass. Applicant's attorney: James Michael Walsh (same address). For authority to operate as a *common carrier*, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses*, from Madison, Wis., to points in Massachusetts, Connecticut, New York, Pennsylvania, District of Columbia, and Maryland. Applicant is authorized to transport similar commodities in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: February 27, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Lacy W. Hinely.

No. MC 115188 (Sub No. 2), filed December 12, 1957, **ROCKY J. VITALE**, Cadosia, N. Y. Applicant's attorney: George H. Elwood, 10 West Main Street, Lock Box 391, Hancock, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Quarried stone, flagstone and lumber*, from East Branch, West Kill and Lexington, N. Y., and points within 35 miles of East Branch to points in Massachusetts and Rhode Island. Applicant is authorized to conduct similar operations in Connecticut, New Jersey, New York, and Pennsylvania.

HEARING: March 10, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 115913 (Sub No. 2), filed December 26, 1957, **FRANK J. PAAR**, doing business as **PAAR TRUCKING COMPANY**, Box 103, Mount Jewett, Pa. Applicant's attorney: Arthur J. Diskin, 810 Frick Building, Pittsburgh 19, Pa. For authority to operate as a *common carrier*, over irregular routes, transport-

ing: *Clay, clay molds, sewer pipe, and other clay products, and materials and supplies used in the manufacture of clay products*, from St. Marys, Pa., to points in New York, New Jersey, Delaware, Massachusetts, and Connecticut; and *refused or damaged shipments*, of the commodities specified on return. Applicant is authorized to transport leather shoe soles in Pennsylvania and Massachusetts.

HEARING: February 26, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Alton R. Smith.

No. MC 115971, filed May 4, 1956. Applicant: **WILLIS SHAW AND ELLIS BOGAN**, doing business as **WILLIS SHAW PRODUCE CO.**, Elm Springs, Ark. Applicants' attorneys: Kenneth Teasdale, 506 Olive Street, St. Louis 1, Mo., and A. Alvis Layne, Jr., Pennsylvania Building, Washington 4, D. C. This is a second publication which covers an order of the Commission, Division 1, (1) reopening the proceeding, (2) making a finding of public convenience and necessity, (3) providing that notice of the change of findings be given by publication in the **FEDERAL REGISTER**, and (4) providing for issuance of a certificate 30 days from the date of this publication under certain conditions. The Form BMC 78 application here at issue was filed May 4, 1956, and published in the **FEDERAL REGISTER**, issue of May 30, 1956, at page 3712, and covered a request for authority to operate as a **CONTRACT CARRIER**, over irregular routes, transporting: *Frozen poultry, poultry products, and frozen foods*, from points in Arkansas, to points in California, Oregon, Washington, Idaho, Nevada, Arizona, New Mexico, and Colorado, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities on return movements.

An Order of the Commission, Division 1, dated January 7, 1958, vacates and sets aside the order of the Commission, Division 1, entered June 28, 1957. The Order of the Commission dated January 7, 1958, finds that the present and future public convenience and necessity require operation by applicants as a **COMMON CARRIER** by motor vehicle, in interstate or foreign commerce, over irregular routes, of *frozen poultry and frozen foods*, from Little Rock, Ark., and points in Arkansas on the north of Arkansas Highway 22 from Fort Smith to Dardanelle, and, on and west of Arkansas Highway 7 from Dardanelle to Harrison, and, on and west of U. S. Highway 65, from Harrison to the Arkansas-Missouri State line, to points in California, Colorado, Arizona, Nevada, New Mexico, Oregon, Washington, and Idaho, and of *empty containers* used in transporting the above-specified commodities, on return, provides that upon the elapse of 30 days from the date of this publication in the **FEDERAL REGISTER** during which period any proper party in interest may file a petition for appropriate relief, an appropriate certificate be issued to applicants provided no petition be received during such period. The carrier presently performs the above-described

operations as a motor contract carrier by virtue of an Interim Permit dated October 1, 1957. The Order of the Commission, Division 1, entered June 28, 1957, authorized the issuance to applicants of a permit to conduct the operations set forth in the preceding paragraph as a contract carrier by motor vehicle.

No. MC 115994 (Sub No. 2), filed October 17, 1957. Applicant: JOHN P. FIDERAK AND STEVE J. FIDERAK, 202 Hunter Street, Tamaqua, Pa. Applicant's attorney: William J. Wilcox, 624 Commonwealth Building, 512 Hamilton Street, Allentown, Pa. For authority to operate as a common carrier, over irregular routes, transporting: *Cinder and concrete blocks*, from Tamaqua, Pa., and points within 25 miles thereof, to points in New Jersey and New York. Applicant is authorized to transport coal in Pennsylvania and New York.

HEARING: February 27, 1958, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner James I. Carr.

No. MC 116722 (Sub No. 4), filed December 2, 1957. DENVER-CLIMAX TRUCK LINE, INC., 5460 Colorado Building, Denver 16, Colo. Applicant's attorney: John H. Lewis, The 1650 Grant Street Building, Denver 3, Colo. For authority to operate as a common carrier, over irregular routes, transporting: *Ore concentrates*, in barrels, packages, or bulk, between Climax, Colo., and Salt Lake City, Utah.

HEARING: February 26, 1958, at the New Customs House, Denver, Colo., before Joint Board No. 213, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 116806 (Sub No. 1), filed November 6, 1957. HUTTON TRANSPORT LIMITED, R. R. 1, Lakeside, Ontario, Canada. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Cement*, in bulk, and in bags, between ports of entry between the United States and Canada located at Niagara Falls and Buffalo, N. Y., on the one hand, and, on the other, points in New York; and (2) *meat, meat products and meat by-products*, between Detroit, Mich., on the one hand, and, on the other, the port of entry between the United States and Canada located at Detroit-Windsor, Ontario, Canada. The transportation proposed in (1) and (2) above shall be restricted to shipments moving between points in the United States and the Dominion of Canada.

HEARING: February 25, 1958, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N. Y., before Examiner Herbert L. Hanback.

No. MC 116827, filed July 22, 1957, J. P. OGAN, Blunt, S. Dak. Applicant's attorney: E. W. Stephens, Hengel Building, Pierre, S. Dak. For authority to operate as a contract carrier, over irregular routes, transporting: *Beer, bottled beverages*, and *advertising material and supplies* related thereto, including containers, bottle openers, etc., and *steel containers filled with carbon dioxide gas and empty*, from Milwaukee and La

Crosse, Wis., Minneapolis and St. Paul, Minn., Omaha, Nebr., and St. Louis, Mo., to Chamberlain, Mobridge, Pierre and Rapid City, S. Dak. *Empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified, on return.

HEARING: February 25, 1958, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Examiner Lacy W. Hinely.

No. MC 116906 (Sub No. 1), filed December 30, 1957, JULIUS C. TOPOLSKI, doing business as TOP'S SERVICE STATION, 3800 South Ashland Avenue, Chicago 9, Ill. Applicant's attorney: Alfred L. Roth, 188 West Randolph Street, Chicago 1, Ill. For authority to operate as a common carrier, over irregular routes, transporting: *Disabled and/or wrecked automobiles, trucks, tractors, busses, semi-trailers, and other vehicles*, by the towaway service, between Chicago, Ill., on the one hand, and, on the other, points in Indiana, Michigan, Missouri, and Wisconsin.

HEARING: March 10, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Lacy W. Hinely.

No. MC 116954, filed September 25, 1957, JAMES W. MONTAGUE, Edina, Mo. For authority to operate as a contract carrier, over regular routes, transporting: *Fertilizers*, in bulk and in sacks, from East St. Louis, Ill., to Edina, Mo.; from East St. Louis over U. S. Highway 40 to Broadway Street in St. Louis, Mo., thence over Broadway Street to Natural Bridge Road, thence over Natural Bridge to By-pass U. S. Highway 40, thence over By-pass U. S. Highway 40 to junction U. S. Highway 61 near Wentzville, Mo., thence over U. S. Highway 61 to junction U. S. Highway 36 at Hannibal, Mo., thence over U. S. Highway 36 to junction Missouri Highway 15 at Shelbyville, Mo., and thence northerly over Missouri Highway 15 at Edina, serving the intermediate point of Shelbyville, Mo.

HEARING: March 10, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 116989, filed October 14, 1957, AMEL E. TROFF, Advance (Stoddard County), Mo. Applicant's attorney: Elvis A. Mooney, Bloomfield, Mo. For authority to operate as a common carrier, over irregular routes, transporting: *Fertilizer*, in bags, and *feed*, in bags, from East St. Louis, Ill., to Advance, Mo.; and *Ordinary livestock*, from points within fifteen (15) miles of Advance, Mo., including Advance, to East St. Louis, Ill.

NOTE: Applicant states he desires to transport Fertilizer, in bags, in load or partial load lots, and/or feed, in bags, for animal consumption, from dealers and manufacturers in East St. Louis, Ill., to Advance, Mo.

HEARING: March 11, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 116998, filed October 21, 1957, OLIVER L. GERALD, Lake Preston, S. Dak. For authority to operate as a contract carrier, over irregular routes, transporting: *Poultry and livestock feeds and building materials*, from points in Min-

nesota and Iowa, to Lake Preston, S. Dak., and points within 35 miles of Lake Preston, not including the city of Madison, S. Dak.

HEARING: February 25, 1958, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 147, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 117004, filed October 22, 1957, DELPHIS DESROCHES, 1672 Visitation Street, Montreal, P. Q. Canada. For authority to operate as a common carrier, over irregular routes, transporting: *Horses*, other than ordinary, and in connection therewith, *personal effects* of their attendants, trailers, and exhibitors, and *stable supplies, equipment, and mascots*, incidental to the care, transportation, and exhibition of such animals in seasonal operations between April 1 and November 30, inclusive, of each year, between ports of entry on the International Boundary line between the United States and Canada at or near Champlain, Trout River (Franklin County), and Rouses Point, N. Y., on the one hand, and, on the other, points in New York.

HEARING: February 28, 1958, at the Federal Building, Albany, N. Y., before Examiner Herbert L. Hanback.

No. MC 117031 (Sub No. 1), filed December 5, 1957, BROWN YANCEY, New Bloomfield, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. For authority to operate as a common carrier, over irregular routes, transporting: *Feed and fertilizer*, from East St. Louis, Ill., to points in Cole, Osage, and Callaway Counties, Mo., and *exempt commodities* on return.

HEARING: March 11, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 117039, filed November 15, 1957, HAROLD R. RODI, doing business as RODI AUTO TOWING COMPANY, 2315 South Ashland Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. For authority to operate as a common carrier, over irregular routes, transporting: *Wrecked or disabled motor vehicles*, between Chicago, Ill., on the one hand, and, on the other, points in Illinois, Indiana, and Wisconsin.

HEARING: February 26, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 17.

No. MC 117041, filed November 18, 1957, JEROME MICHEL and JOSEPH MICHEL, JR., a Partnership, doing business as MICHEL BROS. GARAGE & TOWING SERVICE, Route No. 2, Box 373, Franksville, Wis. For authority to operate as a contract carrier, over irregular routes, transporting: *Wrecked and disabled vehicles*, in truckaway service, between points in Wisconsin and points in Illinois.

NOTE: Applicants state they propose rendering towing and repair service to members of the Motor Vehicle and Affiliated Truck Owners Associations in Wisconsin and Illinois.

HEARING: March 3, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 117046, filed November 20, 1957, FLOYD L. GOEHRING, doing business as GOEHRING'S GARAGE & TOWING SERVICE, U. S. Route 12, Richmond, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Wrecked and disabled vehicles*, between points in Illinois and points in Wisconsin.

NOTE: Applicant states he provides towing and repair service to members of the Motor Vehicle and Affiliated Truck Owners Associations in Illinois and Wisconsin, and that the transportation is predicated upon site of wreck or breakdown.

HEARING: February 26, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 13.

No. MC 117047, filed November 20, 1957, HAROLD HELFOGT AND LEONARD KRANZ, doing business as RTE WAY GARAGE & TOWING SERVICE, U. S. ROUTE 12, Des Plaines, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Wrecked or disabled vehicles*, between points in Illinois and points in Wisconsin.

NOTE: Applicant states it provides towing and repair service to members of the Motor Vehicle and Affiliated Truck Owners Associations in Illinois and Wisconsin.

HEARING: February 26, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 13.

No. MC 117050, filed November 21, 1957, WILLIAM MULLINS, doing business as BILL MULLINS GARAGE, 360 Plainfield Street, Providence, R. I. Applicant's attorney: Edward S. Goldin, 87 Weybosset Street, Providence, R. I. For authority to operate as a *common carrier*, over irregular routes, transporting: *Wrecked and disabled motor vehicles*, in truck away and driveway (towaway) service, between points in Rhode Island, on the one hand, and, on the other, points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

HEARING: March 13, 1958, in Room 308, Main Post Office Building, Providence, R. I., before Examiner Herbert L. Hanback.

No. MC 117059, filed November 26, 1957, JAMES T. TEAGLE AND VINCENT F. EWELL, doing business as TEAGLE TRANSPORTATION, Hampton, Va. Applicant's attorney: William J. Augello, Jr., 99 Hudson Street, New York 13, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Cans*, from Baltimore, Md., to Hampton, Newport News, and Warwick, Va., and points in York County, Va.

NOTE: On return trips applicant proposes to transport fresh crab meat and other seafoods.

HEARING: March 7, 1958, at the Post Office and U. S. Court Rooms, Norfolk, Va., before Joint Board No. 226, or, if the Joint Board waives its right to participate, before Examiner Robert A. Joyner.

No. MC 117074, filed December 5, 1957, CARONDELET TRANSFER CO., a Corporation, 3142 Morganford, St. Louis, Mo. Applicant's attorney: B. W. La Tourette, Jr., 1230 Boatmen's Bank Building, St. Louis 2, Mo. For authority to operate as a *contract carrier*, over irregular routes, transporting: *New furniture (uncrated), kitchen equipment, electrical appliances, equipment and parts* as defined in Ex Parte No. MC 45, 61 M. C. C. 209, from St. Louis, Mo., to points in Monroe, St. Clair, Madison, Jersey, and Macoupin Counties, Ill., and *damaged or refused shipments* of the commodities specified in this application on return.

HEARING: March 12, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 117081, filed December 9, 1957, CHARLES E. ELSEBERRY, Madison, Mo. For authority to operate as a *common carrier*, over a regular route, transporting: *Fertilizer*, in seasonal operations between March 1 and October 31, inclusive of each year, from East St. Louis, Ill., to Madison, Mo., as follows: from East St. Louis over U. S. Highway 61 to junction U. S. Highway 40, thence over U. S. Highway 40 to junction Missouri Highway 19, thence over Missouri Highway 19 to junction U. S. Highway 54, thence over U. S. Highway 54 to junction Missouri Highway 15, thence over Missouri Highway 15 to junction U. S. Highway 24, thence over U. S. Highway 24 to Madison, serving no intermediate points.

HEARING: March 10, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 117084, filed December 13, 1957, CAPITOL MOTOR FREIGHT CO., INC., 5314 Park Avenue, West New York, N. J. Applicant's attorney: John Tomasin, 4912 Bergenline Avenue, West New York, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Such commodities* as are usually sold at retail in department stores, from points in Bergen, Hudson, Passaic, Essex, and Union Counties, N. J., to New York City, N. Y. **RESTRICTION:** Applied-for authority to be limited to those shipments having an immediately prior or subsequent movement in interstate commerce by freight forwarders or consolidators.

HEARING: March 7, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 117087, filed December 13, 1957, NORRIS KITSON, 100-A Kent Street, Charlottetown, Prince Edward Island, Canada. Applicant's attorney: Kenneth B. Williams, 89 State Street, Boston 9, Mass. For authority to operate as a *common carrier*, over irregular routes, transporting: *Seafoods and frozen meats*, from the International boundary at or near Calais, Maine, to Portland, Maine, Boston, Mass., and New York,

N. Y.; *canned goods*, from Portland, Maine, to the International Boundary at or near Calais, Maine; *empty cans, fruits and vegetables*, from Boston, Mass., to the International Boundary at or near Calais, Maine; *machinery*, from Rockland, Maine, to the International Boundary at or near Calais, Maine, and from Houlton, Maine, to the International Boundary at or near Houlton, Maine.

HEARING: March 5, 1958, at the New Post Office and Court House Building, Boston, Mass., before Examiner Herbert L. Hanback.

No. MC 117095, filed December 24, 1957, MERVIN WEAVER, 403 Maple Street, Terre Hill, Lancaster Co., Pa. Applicant's attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Stone*, from points in Lancaster County, Pa., to points in New Jersey, Delaware, and Maryland; and *sand* (1) from points in Cecil County, Md., and Newcastle County, Del., to points in Lancaster County, Pa.; and (2) from Millville, N. J., to points in Berks County, Pa.

HEARING: February 25, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William E. Messer.

No. MC 117096, filed December 27, 1957, ERBIE W. SAUDER, R. D. No. 1, East Earl, Lancaster Co., Pa. Applicant's attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Stone*, from points in Lancaster County, Pa., to points in New Jersey, Delaware, and Maryland; and *sand*, from points in Cecil County, Md., to points in Lancaster County, Pa.

HEARING: February 25, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William E. Messer.

No. MC 117097, filed December 27, 1957, C. M. WEAVER, Box 315, R. D. No. 2, New Holland, Pa. Applicant's attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Stone*, from points in Lancaster County, Pa., to points in New Jersey, Delaware, and Maryland; and *Sand*, from points in Cecil County, Md. to points in Lancaster County, Pa.

HEARING: February 25, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William E. Messer.

MOTOR CARRIERS OF PASSENGERS

No. MC 668 (Sub No. 61), filed December 13, 1957, INTER-CITY TRANSPORTATION CO., INC., 730 Madison Avenue, Paterson, N. J. Applicant's attorney: Edward F. Bowes, 1060 Broad Street, Newark 2, N. J. For authority to operate as a *common carrier*, over regular routes, transporting: *Passengers and their baggage*, (1) between Maywood, N. J., and Paramus, N. J., from junction Spring Valley Avenue and Maywood Avenue in Maywood over Spring Valley Avenue to junction of Spring Valley Road, thence over Spring Valley Road to junction New Jersey Highway 4, thence over New Jer-

sey Highway 4 to junction of ramp on west side of New Jersey Highway 17 and New Jersey Highway 4, thence over ramp on west side of New Jersey Highway 17 to junction New Jersey Highway 17, thence over New Jersey Highway 17 to the private road leading to the Garden State Shopping Plaza in Paramus; and on return, from the Garden State Shopping Plaza over private exit roads to junction New Jersey Highway 4, thence over New Jersey Highway 4 to junction Spring Valley Road, thence over Spring Valley Road to junction Spring Valley Avenue, thence over Spring Valley Avenue to point of beginning, serving all intermediate points. (2) Between Paramus, N. J., and Rochelle Park, N. J., from junction New Jersey Highways 4 and 17 in Paramus over New Jersey Highway 17 to junction of Passaic Street in Rochelle Park, and return over the same route, serving all intermediate points. (3) Beginning and ending in Rochelle Park, N. J., from junction of Fairview Avenue and Passaic Street in Rochelle Park over Fairview Avenue to junction of Garden State Plaza private road in Rochelle Park, thence over Garden State Plaza private road to the junction of Passaic Street in Rochelle Park, and return over the same route, serving all intermediate points. The applicant proposes to segment the above described routes with its existing authority to operate to New York, N. Y., via both the George Washington Bridge and the Lincoln Tunnel. To do so with respect to the above described proposed route (2) it is proposed that the applicant's existing restriction with respect to its use of New Jersey Highway 17 south of its junction with New Jersey Highway 4 as set forth specifically on sheets 10 and 11 of its Certificate No. MC 668 be amended. Such restriction presently is as follows: Between junction New Jersey Highways 17 and 4 in Paramus, N. J., and New York, N. Y., serving all intermediate points: From junction New Jersey Highways 17 and 4 over New Jersey Highway 17 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction Depressed Highway in North Bergen, N. J., thence over Depressed Highway to junction Elevated Highway in Weehawken, N. J., thence over the Elevated Highway to the Lincoln Tunnel Plaza, and thence through the Lincoln Tunnel to New York, and return over the same route. **RESTRICTION:** The service herein authorized is subject to the condition that no passengers shall be picked up in New York, N. Y., for discharge at points in New Jersey south of the Ramsey-Hohokus Township, N. J., boundary line, and no passengers shall be picked up in New Jersey south of the Ramsey-Hohokus Township boundary line for discharge in New York, N. Y., except as otherwise authorized. The proposed amended restriction is as follows: Between junction New Jersey Highways 17 and 4, in Paramus, N. J., and New York, N. Y., serving all intermediate points: From junction New Jersey Highways 17 and 4 over New Jersey Highway 17 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction Depressed Highway in North Bergen,

N. J., thence over Depressed Highway to junction Elevated Highway in Weehawken, N. J., thence over the Elevated Highway to the Lincoln Tunnel Plaza, and thence through the Lincoln Tunnel to New York, and return over the same route. **RESTRICTION:** The service herein authorized is subject to the condition that no passengers shall be picked up in New York, N. Y., for discharge at points in New Jersey south of the Ramsey-Hohokus Township, N. J., boundary line other than in Paramus and Rochelle Park between the junction of New Jersey Highway 4 and New Jersey Highway 17 in Paramus and the junction of New Jersey Highway 17 and Passaic Street in Rochelle Park, and no passengers shall be picked up in New Jersey, south of the Ramsey-Hohokus Township boundary line for discharge in New York except on New Jersey Highway 17 between the junction of New Jersey Highway 4 and New Jersey Highway 17 in Paramus and the junction of New Jersey Highway 17 and Passaic Street in Rochelle Park, and except as otherwise authorized. Applicant is authorized to conduct operations in New Jersey and New York.

HEARING: February 21, 1958, at the New Jersey Board of Public Utility Commissioners, State Office Building, Raymond Boulevard, Newark, N. J., before Joint Board No. 3.

No. MC 47786 (Sub No. 5), filed November 27, 1957, ROSSMEYER & WEBER, INC., doing business as RARITAN VALLEY BUS SERVICE, P. O. Box 312, Metuchen, N. J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special and charter operations, in round trip sightseeing and pleasure tours, beginning and ending at points in Middlesex County, N. J., and extending to points in Pennsylvania, New York, Delaware, Maryland, Virginia, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, Florida, and the District of Columbia. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, Massachusetts, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Virginia. Rossmeier & Weber, Inc. holds contract carrier authority to transport passengers in Permit No. MC 104426 (Sub No. 1).

HEARING: March 3, 1958, at 346 Broadway, New York, N. Y., before Examiner James I. Carr.

No. MC 109312 (Sub No. 25), filed December 16, 1957, DE CAMP BUS LINES, a corporation, 30 Allwood Road, Clifton, N. J. Applicant's representative: F. Theodore Massoth, 1180 Raymond Boulevard, Newark 2, N. J. For authority to operate as a common carrier, over a regular route, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Orange, N. J., and Maplewood, N. J., from the Orange-South Orange, N. J., boundary line at Scotland Road along Scotland Road to junction South Orange Avenue, thence along South Orange Avenue to junction Valley Street, thence along Valley Street

to Maplewood, N. J., thence continue along Valley Street to junction Baker Street, thence along Baker Street to junction Ridgewood Road, thence along Ridgewood Road to junction Lenox Place, thence along Lenox Place to junction Maplewood Avenue, in Maplewood, and return from junction Lenox Place and Maplewood Avenue, in Maplewood, along Maplewood Avenue to junction Baker Street, thence along Baker Street to junction Valley Street, thence along Valley Street to South Orange, N. J., thence continue along Valley Street to junction South Orange Avenue, thence along South Orange Avenue to junction Scotland Road, thence along Scotland Road to the South Orange-Orange, N. J., boundary line, serving all intermediate points. Applicant is authorized to conduct operations in New Jersey and New York.

NOTE: Applicant states that this extension of route will connect with their present authority in Docket No. MC 109312 authorizing city streets in Orange, N. J.

HEARING: February 24, 1958, at the New Jersey Board of Public Utility Commissioners, State Office Building, Raymond Boulevard, Newark, N. J., before Joint Board No. 119.

No. MC 116969 (Sub No. 1), filed December 11, 1957, DOMINGO MARTINEZ and ESTHER MARTINEZ, a partnership, 621 Fairmount Avenue, Philadelphia, Pa. Applicant's attorney: Paul F. Barnes, 811 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle, in year round, on call operations, between Idlewild and La Guardia Airports, New York, N. Y., Newark Airport, Newark, N. J., and the Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, Philadelphia, Pa., points in Bucks, Berks, Chester, Delaware, and Montgomery Counties, Pa., Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Salem, and Mercer Counties, N. J., and Cecil County, Md., and points in Delaware. **RESTRICTION:** Applied-for authority to be limited to such transportation as shall have had a prior movement or will have a subsequent movement by aircraft, and other than such transportation as is within the partial exemption of section 203 (7a) of the act, as being incidental to transportation by aircraft.

HEARING: February 24, 1958, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner James I. Carr.

No. MC 117035, filed November 13, 1957, ALBERT JORDAN AND BERNICE I. JORDAN, doing business as JORDAN'S INTERNATIONAL HONEYMOON TOURS, 8800 Niagara Falls Boulevard, Niagara Falls, N. Y. Applicant's attorney: Eli Roth, 914-916 Walbridge Building, Buffalo 2, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in round-trip sightseeing operations, in the season between May 1 and November 1, inclusive, of each year, from points in Niagara County,

N. Y., to the United States Canadian boundary at Niagara Falls, N. Y., and return; and from points in Niagara County, N. Y., to the United States Canadian boundary at Lewiston, N. Y., and return. Using either one of the following bridges over the Niagara River on either going or return trip, Rainbow Bridge at Niagara Falls, N. Y., Lower Arch Bridge at Niagara Falls, N. Y., and Lewiston Bridge at Lewiston, N. Y. **CONDITIONS:** 1. Operations shall be special operations. 2. Services shall be limited to the transportation of not more than seven (7) fare paying passengers in any one (1) vehicle excluding the driver thereof, and excluding children under ten (10) years of age and who do not occupy a seat.

HEARING: February 24, 1958, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N. Y., before Examiner Herbert L. Hanback.

No. MC 117075, filed December 5, 1957, ALARIC B. CARR, Morris Run, Pa. For authority to operate as a common carrier, over a regular route, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, between Morris Run (Toga County), Pa., and Painted Post, N. Y., from Morris Run over unnumbered highway to Blossburg, Pa., thence over U. S. Highway 15 to Painted Post, and return over the same route, serving all intermediate points. **RESTRICTION:** The proposed operations will be restricted to the transportation of passengers originating at or destined to the site of the Ingersoll Rand Company plant at Painted Post, N. Y.

HEARING: February 24, 1958, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N. Y., before Examiner Herbert L. Hanback.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 19945 (Sub No. 6), filed January 6, 1958. Applicant: BEHNKEN TRUCK SERVICE, INC., Illinois Route 13, New Athens, Ill. Applicant's attorney: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis 1, Mo. For authority to operate as a common carrier, over irregular routes, transporting: *Haydite*, in bulk, from points in Madison County, Ill., to points in Missouri on and east of U. S. Highway 63. Applicant is authorized to transport commodities other than those applied for herein in Illinois and Missouri.

No. MC 30887 (Sub No. 83), filed January 6, 1958. SHIPLEY TRANSFER, INC., 534 Main Street, Reisterstown, Md. Applicant's representative: Donald E. Freeman, 534 Main Street, Reisterstown, Md. For authority to operate as a common carrier, over irregular routes, transporting: *Later*, in bulk, in tank vehicles, from Dover and Cheswold, Del., to Austell, Ga., Buffalo, N. Y., Burlington, Jersey City, Newark, Paterson, Rahway, Riverside, Roselle Park, and Trenton, N. J., Concord, N. C., Elkton, Md., Fall River, Mass., Fredericksburg, Lynchburg, Portsmouth, and Roanoke, Va., Latrobe and Morrisville, Pa., and Wakefield, R. I. Applicant is authorized to transport similar

commodities in each of the above-specified states and in Alabama, Connecticut, Illinois, Indiana, Michigan, Minnesota, Missouri, New Hampshire, Ohio, South Carolina, Tennessee, Vermont, and Wisconsin.

No. MC 55236 (Sub No. 36), filed December 23, 1957. Applicant: OLSON TRANSPORTATION COMPANY, a Corporation, 1170 South Broadway, P. O. Box 1187, Green Bay, Wis. For authority to operate as a common carrier, transporting: *General commodities*, except household goods as defined by the Commission, serving Newburg, Wis., located approximately seven (7) miles northwest of Saukville, Wis., on Wisconsin Highway 33, as an off-route point in connection with applicant's authorized regular route operations between Green Bay, Wis., and Milwaukee, Wis. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, and Wisconsin. **RESTRICTION:** Service is not authorized between Milwaukee and intermediate points between Milwaukee and the Wisconsin-Illinois State line, on the one hand, and, on the other, Chicago and points between Chicago and the Illinois-Wisconsin State line, except that service is authorized, however, for interchange of traffic with connecting carriers at Milwaukee, when such traffic originates at points beyond Milwaukee, or is destined to such points.

No. MC 59396 (Sub No. 3), filed December 31, 1957. Applicant: BUILDERS EXPRESS, INC., Central Avenue, Findern, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Limestone and limestone spar*, in dump or hopper vehicles, from Lime Crest (Sussex County), N. J., to points in Connecticut. Applicant is authorized to conduct operations in Maryland, New Jersey, New York, and Pennsylvania.

No. MC 105632 (Sub No. 21), filed January 3, 1958. Applicant: CENTRAL OF GEORGIA MOTOR TRANSPORT COMPANY, a Corporation, 227 West Broad Street, Savannah, Ga. Applicant's attorney: Walter C. Scott, Jr., Law Department, Central of Georgia Railway Company, P. O. Box 642, Savannah, Ga. For authority to operate as a common carrier, over regular routes, transporting: *General commodities*, moving by Railway Express in service Auxiliary to or supplemental of the rail service of Central of Georgia Railway Company, between Macon, Ga., and Albany, Ga., from Macon over U. S. Highway 41 to junction Georgia Highway 49, thence over Georgia Highway 49 to Americus, Ga., thence over U. S. Highway 19 to Albany, and return over the same route, serving the intermediate points of Byron, Fort Valley, Marshallville, Montezuma, Oglethorpe, Americus, and Leesburg, Ga., and the off-route point of Andersonville, Ga., and all of which are stations handling Railway Express. Applicant is authorized to conduct similar operations in Alabama and Georgia.

No. MC 114890 (Sub No. 8), filed January 13, 1958. Applicant: C. E. REYNOLDS, 2209 Range Line, Joplin, Mo.

Applicant's attorney: Stanley P. Clay, 514 First National Building, P. O. Box 578, Joplin, Mo. For authority to operate as a common carrier, over irregular routes, transporting: *Nitric acid*, in bulk, in tank vehicles, from Military, Kans., to points in Missouri, Arkansas, Oklahoma, and Texas. Applicant is authorized to conduct operations in Arkansas, Kansas, Missouri, Oklahoma, and Texas. Applicant holds contract carrier authority in Permit No. MC 86928 and Sub numbers thereunder. Section 210, dual operations, may be involved.

APPLICATION FOR BROKERAGE LICENSE

No. MC 12673, filed December 31, 1957. Applicant: LAWRENCE J. McKINNIS, doing business as SEATTLE PHOTO TOURS, 938 10th Avenue, North, Seattle, Wash. Applicant's attorney: Phyllis Cavender, 901 Dexter Horton Building, Seattle 4, Wash. For a license (BMC 5) authorizing operations as a broker at Seattle, Wash., in arranging for transportation in interstate or foreign commerce, by motor vehicle, of groups of passengers, in charter service in round-trip tours, beginning and ending at Seattle, Wash., and extending to points in Washington, Arizona, California, Colorado, Idaho, Montana, Oregon, Nevada, New Mexico, Utah, and Wyoming.

NOTE: Applicant states that as a broker he will arrange for chartering of buses for groups of people in connection with photographic tours which he will sponsor; that he will prorate the cost based on a certain number of passengers per bus; that other services of applicant in arranging tours and teaching photography will be included in the charge to passengers; and that for several years he has chartered buses for tours for students in his photographic classes as a commissioned agent for Greyhound Bus.

APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5 (a) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto. (49 CFR 1.240)

MOTOR CARRIERS OF PROPERTY

No. MC-F 6546, published in the April 3, 1957, issue of the FEDERAL REGISTER on page 2214. Petition filed January 8, 1958, to amend the application to show that WATKINS MOTOR LINES, INC., seeks authority for acquisition of control of B. C. TRUCK LINES, INC., through purchase of the outstanding capital stock, in lieu of control and merger. Hearing is assigned January 28, 1958, at Washington, D. C.

No. MC-F 6783, published in the December 24, 1957, issue of the FEDERAL REGISTER on page 10510. Supplement filed January 13, 1958, to show joinder of W. E. MAILE, SR., W. E. MAILE, JR., and OLIVE MAILE, all of 735 South 39th Street, Milwaukee 15, Wis., as the persons in control of ROYAL TRANSIT, INC.

No. MC-F 6801, published in the January 8, 1958, issue of the FEDERAL REGISTER on page 159. Application filed January

13, 1958, for temporary authority under section 210a (b).

No. MC-F 6812. Authority sought for purchase by ALLIED VAN LINES, INC., P. O. Box 527, 25th Avenue and Roosevelt Road, Broadview, Ill., of a portion of the operating rights of W. H. KING, HARRY E. KING, AND FRANCIS A. KING, doing business as RED LINE TRANSFER AND STORAGE COMPANY, 506-08 East Third Street, Pine Bluff, Ark. Applicants' attorney: John R. Turney, 2001 Massachusetts Avenue NW., Washington 6, D. C. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier* over irregular routes between Fordyce, Ark., points in Arkansas, Ashley, Bradley, Chicot, Cleveland, Desha, Drew, Grant, Lee, Lincoln, Lonoke, Monroe, Phillips, Prairie, and St. Francis Counties, Ark., and those in that part of Crittenden County, Ark., on and south of U. S. Highway 70, on the one hand, and, on the other, points in Arkansas, Missouri, Tennessee, Mississippi, Louisiana, Texas, and Oklahoma, between points in Jefferson County, Ark., on the one hand, and, on the other, points in Arkansas, Missouri, Texas, and Oklahoma, and between points in Jefferson County, Ark., on the one hand, and, on the other, points in Louisiana, Mississippi, and Tennessee. Vendee is authorized to operate as a *common carrier* in all States in the United States and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6813. Authority sought for purchase by CHICAGO DUBUQUE MOTOR TRANSPORTATION COMPANY, P. O. Box 388, Dubuque, Iowa, of the operating rights of HERMAN H. ABING, doing business as ABING TRANSFER LINE, 656 East Main Street, Platteville, Wis., and for acquisition by A. A. BURGMEIER, E. G. GRASSEL, and F. V. BURGMEIER, all of Dubuque, of control of such rights through the purchase. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill., and Walter J. Cole, Suite 1, Bayley Block, Platteville, Wis. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes, between Belmont, Wis., and Dubuque, Iowa, and between Platteville, Wis., and Montfort, Wis., serving certain intermediate and off-route points; alternate routes for operating convenience only between Platteville, Wis., and Belmont, Wis., and between Elk Grove, Wis., and the junction of U. S. Highway 151 and Wisconsin Highway 81; *general commodities*, except those of unusual value, high explosives, commodities in bulk, commodities requiring special equipment, and those injurious to other lading, between Platteville, Wis., and Dubuque, Iowa, serving the intermediate points of Dickeyville and Kieker, Wis. Vendee is authorized to operate as a *common carrier* in Iowa, Illinois, Minnesota, and Wisconsin. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6814. Authority sought for lease by BURKS MOTOR FREIGHT LINE, INC., 218 Miller Street, Little Rock, Ark., of a portion of the operating rights of STRICKLAND TRANSPORTATION CO., INC., P. O. Box 5689, Dallas 22, Tex., and for acquisition by N. G. BOWDEN, also of Little Rock, of control of such rights through the lease. Applicants' attorneys: Thomas L. Robinson, Columbian Mutual Tower Building, Memphis, Tenn., A. E. Townsend, Jr., Commercial National Bank Building, Little Rock, Ark., John Paul Jones, 1012 Edway Building, Memphis, Tenn., and W. T. Brunson, 508 Leonhardt Building, Oklahoma City, Okla. Operating rights sought to be leased: *General commodities*, as a *common carrier* over regular routes between junction U. S. Highway 70 and Arkansas Highway 11 and Pine Bluff, Ark., between Little Rock, Ark., and Carola Landing, and Wilmet, Ark., and West Monroe, La., between Pine Bluff, Ark., and Monticello, Ark., and between Lake Village, Ark., and Greenville, Miss., serving all intermediate points; *general commodities*, with certain exceptions including household goods and commodities in bulk, between Pine Bluff, Ark., and the Pine Bluff Municipal Airport, Ark., serving no intermediate points; *carbon black*, from Sterlington, La., to junction U. S. Highway 165 and Louisiana Highway 815, serving no intermediate points. Lessee is authorized to operate as a *common carrier* in Tennessee and Arkansas. Application has been filed for temporary authority under section 210a (b). Motion for renewal of lease has also been filed.

No. MC-F 6815. Authority sought for purchase by EXON MOTOR SERVICE, INC., 504 East North Avenue, Libertyville, Ill., of the operating rights and property of DOWNS MOTOR TRANSPORT, INC., 700 Front Street, McHenry, Ill., and for acquisition by ROBERT A. WILSON and WILLIAM WILSON, both of Libertyville, Ill., of control of such rights and property through the purchase. Applicants' attorney: Franklin R. Overmyer, 111 West Monroe Street, Chicago, Ill. Operating rights sought to be transferred: *General commodities*, with certain exceptions excluding household goods and including commodities in bulk, as a *common carrier* over regular routes between Chicago, Ill., and Delavan, Wis., serving all intermediate and certain off-route points; *household goods*, as defined by the Commission, between Chicago, Ill., and Delavan, Wis., serving all intermediate and certain off-route points; *general commodities*, with certain exceptions excluding household goods and including commodities in bulk, over irregular routes between points in Cook, McHenry, and Lake Counties, Ill., on the one hand, and, on the other, points in Kenosha and Walworth Counties, Wis.; *household goods*, as defined by the Commission, between points in Cook, McHenry, and Lake Counties, Ill., on the one hand, and, on the other, points in Kenosha and Walworth Counties, Wis. Vendee is authorized to operate as a *common carrier* in Illinois, and is also authorized to operate in that

state under the Second Proviso of section 206 (a) (1) of the Interstate Commerce Act. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6816. Authority sought for purchase by GARRETT FREIGHT LINES, INC., 2055 Pole Line Road, Pocatello, Idaho, of the operating rights and certain property of GEO. G. CADWELL AND J. B. CADWELL, doing business as PIONEER FREIGHT LINE, 915 Jefferson Street, Vancouver, Wash., and for acquisition by CLARENCE A. GARRETT, also of Pocatello, and OSCAR W. GARRETT, Chamberlin Avenue, Idaho Falls, Idaho, of control of such rights and property through the purchase. Applicants' attorney: Maurice H. Greene, 300 North Sixth, Boise, Idaho. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier*, over a regular route, between Portland, Oreg., and Vancouver, Wash., serving no intermediate points; *general commodities*, with certain exceptions including household goods and commodities in bulk, over irregular routes, between points within three miles of Portland, Oreg., including Portland; *general commodities*, between Portland, Oreg., and points within ten miles of the end of the Interstate Bridge at Vancouver, Wash.; *agricultural commodities*, between points in Clark County, Wash., and Portland, Oreg. Vendee is authorized to operate as a *common carrier* in Idaho, Montana, Utah, Nevada, California, Oregon, Colorado, New Mexico, Arizona, and Wyoming. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6817. Authority sought for purchase by COASTAL TANK LINES, INC., Grantley Road, York, Pa., of the operating rights and property of ASPHALT-PETROLEUM TRANSPORTERS, INC., 96 Windsor Avenue, Mineola, Long Island, N. Y., and for acquisition by KARL J. EISENHARDT, also of York, of control of such rights and property through the purchase. Applicants' attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D. C. Operating rights sought to be transferred: *Petroleum and petroleum products*, and *empty containers and drums*, as a *common carrier*, over irregular routes, between points in New York and New Jersey within 50 miles of New York, N. Y., including New York, N. Y. Vendee is authorized to operate as a *common carrier* in Pennsylvania, Ohio, West Virginia, Maryland, Delaware, Virginia, New Jersey, New York, Indiana, Kentucky, Connecticut, Massachusetts, Rhode Island, Michigan, North Carolina, South Carolina, Illinois, Tennessee, Wisconsin, and the District of Columbia. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6818. Authority sought for purchase by C. A. SHETROM, Box 8, Huntingdon, Pa., of a portion of the operating rights and certain property of CLAIR S. ZIMMERMAN, Box 152, Clearfield, Pa. Applicants' attorney: John A. R. Welsh, Mifflintown, Pa. Op-

erating rights sought to be transferred: *Refractory products*, as a common carrier over irregular routes, from Clearfield, Pa., and points within 25 miles of Clearfield to points in Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia, the District of Columbia, certain points in New York and certain points in New Jersey (except brick and structural tile from Clearfield, Pa., and points within 25 miles to Clearfield to points in Maryland, Ohio, Pennsylvania, Virginia, West Virginia, the District of Columbia and those in New York other than those in the New York, N. Y., Commercial Zone, as defined by the Commission), and from Baltimore, Md., to Clearfield, Pa., and points within 25 miles of Clearfield; *empty pallets*, from points in the above-specified destination territory and Baltimore, Md., to Clearfield, Pa., and points within 25 miles of Clearfield. Vendee is authorized to operate as a contract carrier in Ohio, New Jersey, New York, and Pennsylvania. Application has been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-481; Filed, Jan. 21, 1958;
8:45 a. m.]

[Notice 22]

MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES

JANUARY 17, 1958.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1 (e)) at any time but will not operate to stay commencement of the proposed operation unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be

numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-730 (Deviation No. 2), PACIFIC INTERMOUNTAIN EXPRESS CO., 299 Adeline Street, P. O. Box 958, Oakland 4, Calif., filed January 13, 1958. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between the junction of U. S. Highways 36 and 81 near Belleville, Kans., and Cheyenne, Wyo., as follows: from junction of U. S. Highway 81 and U. S. Highway 36 near Belleville, Kans. over U. S. Highway 81 to junction Nebraska Highway 3, thence over Nebraska Highway 3 to junction Nebraska Highway 14, thence over Nebraska Highway 14 to junction U. S. Highway 6, thence over U. S. Highway 6 to junction Nebraska Highway 44, thence over Nebraska Highway 44 to junction Nebraska Highway 10, thence over Nebraska Highway 10 to Kearney, Nebr., thence over U. S. Highway 30 to Cheyenne, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the junction of U. S. Highways 36 and 81 and Cheyenne over the following pertinent routes: Between junction of U. S. Highway 81 and U. S. Highway 36 and Denver, Colo., as follows: over U. S. Highway 36 to Strasburg, Colo., and thence over U. S. Highway 40 to Denver; between Denver, Colo., and Cheyenne, Wyo., as follows: From Denver over U. S. Highway 85 to Cheyenne, Wyo.

No. MC-48022 (Deviation No. 2), INLAND EXPRESS, INC., 28 Travis Street, Allston, Mass., filed January 15, 1958. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between the New York-Massachusetts State line and Boston, Mass., over the Massachusetts Turnpike and access routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the New York-Massachusetts State line and Boston, Mass., over U. S. Highway 20.

No. MC-107558 (Deviation No. 1), ARROW TRANSPORTATION CO., INC., 288 Kinsley Avenue, Providence, R. I., filed January 10, 1958. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between the Connecticut-New York State line and the Connecticut-Rhode Island State line, as follows: From the Connecticut-New York State line over the Connecticut Turnpike to the Connecticut-Rhode Island State line, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent route: Between New York, N. Y., and Boston, Mass., as follows: From New York over U. S. Highway 1 to Boston.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-479; Filed, Jan. 21, 1958;
8:49 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 17, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34417: Coal and briquettes—Illinois and Kentucky mines to Indianapolis, Ind. Filed by The Illinois Central Railroad Company (No. 1-A). Rates on bituminous coal and briquettes, carloads from Belleville, Centralia, Du Quoin, other southern Illinois district mines, and mines in western Kentucky described in the application by the Illinois Central Railroad to Indianapolis, Ind., on the Illinois Central Railroad.

Grounds for relief: Market competition.

Tariff: Supplement 120 to Illinois Central Railroad Company's tariff I. C. C. No. E-1869.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-478; Filed, Jan. 21, 1958;
8:48 a. m.]

